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CHILD WELFARE IN NORTH CAROLINA

An Inquiry by the National Child Labor Committee
for the North Carolina Conference
for Social Service

Under the direction of
W. H. Swift

NEW YORK
National Child Labor Committee
1918

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INTRODUCTION

W. H. SWIFT

The better thought of the whole country, in fact of the world, is largely directed at this hour to the conservation of all things useful for man and to the preservation and proper development of all human resources. The need for efficient man-power is forcing even those who are ordinarily thoughtless to think. We are beginning to see that not one child can be spared, and that the failure to bring every child born, yes, begotten, to full strength and maturity is a loss not only to the immediate family, but to the entire country. The growing of fit men and women, and enough of them, is coming to be held to be one of the chief concerns of a state.

In North Carolina, while much may yet remain to be done, the conscious and deliberate planning for the improvement of society by the growing of the proper sort of children did not begin yesterday, or last year. Whoever has lived in North Carolina or has watched the movement of state thought for the last twenty-five years can not have failed to be impressed by the fact that during all this time more and more the attention of thoughtful men and women has been turning to the consideration of how to provide better care for all the children of the state. Winston, Aycock, Alderman, McIver, and then Joyner, Graham, McAlister, Rankin and others have in turn been living voices for the utterance of the increasing and deepening conviction that in the child lies the hope of the state.

The creation, or rather the recreation, of the State Board of Charities and Public Welfare by the General Assembly of 1917, in a way, marks the closing of one period and the beginning of another. The state has gone seriously into the business of insuring proper care for its dependent and neglected children. Even now men and women throughout her borders are quietly but carefully reviewing not only her law and administrative agencies but also actual conditions with the view of finding out first, what needs to be done and then how best to do it. This is as it should be. He who does not know what is, is in no position to say what should be.

Knowledge of what is, is an absolute prerequisite for any successful public planning. The State is a growing organism, and not clay to be handled with a trowel.

Conscious of this fact the National Child Labor Committee, glad always to place its workers at the service of any agency or organization which bears the children of any state close to its heart, and in fact existing for that very purpose, finds its reward in being able by this publication to show in some measure to the members of the North Carolina Conference for Social Service and other interested persons just what is.

This is, in fact, about all that can be done. No state can be remade overnight. No free people can or ought to be forced to inaugurate social reconstruction however much it may be needed. Any attenpt at this will end in failure. Education is the only lever by which the plane of life can be lifted. The people must aspire to the good before it can be attained. Education rests upon two essentials—in knowing what is, and in feeling for what should be.

He who examines the laws of North Carolina enacted for the benefit of children and outside of the field of public education must be impressed by the fact that, for the most part, they were enacted under certain waves of feeling focussed upon some particular point and that the statutes are remedial rather than constructive. The establishment of the new Board of Charities and Public Welfare and the law regulating the new and wider activities of the State Board of Health are exceptions and show that in someone's thought there was a well defined policy for state construction. Nor is North Carolina any exception in this respect. Until very recent years it has been the habit of states to legislate for children in the bit-by-bit fashion. Even now only a few states have made a beginning in the establishment of a complete system of laws relating to children. So long as this loose method of legislating continues not much of an enduring nature or of any sort other than remedial may be expected. Constructive work must be systematized.

Every child born in the state is or should be its ward. The state should hold itself to strict account in seeing that every child has proper care and a fair chance to grow into the strongest possible man or woman. The rights of the state rise above family rights in the child and there should never be any hesitation about invading the family circle when the best interests of the child demand it.

The welfare of the state depends most upon its normal children and there must be constant supervision and activity to insure that every normal child lives and grows amidst surroundings clean and healthful, sweet, refining and good. No state should permit poverty or inability of parents to retard the development of the child. The door of every home should be pushed open and whenever neglect of the health, morals or education is found within, those in control should be made to understand that the chief business of any home is the growing of men and women. If for any reason the home can not or will not perform its rightful function the state should intervene to safeguard the rights of the child. If the state does not intervene thousands of children will drink polluted water, will fail of sufficient schooling, and will be put to work while they are yet babies. Ignorance, indifference, and greed have yet to be banished from the earth, and many parents are still under their blighting shadows. The state must see that their dire results do not fall upon the unprotected, unresisting and uncomplaining heads of childhood.

The growing of men and women being the chief concern of the state, there should be in every case an eye to see the conditions under which the child lives and a hand to bring aid in every case of need. Provision must be made by the state to insure this.

It is no unusual thing in North Carolina for a child to be attended at its birth by an untaught, unexamined, unlicensed midwife. In hundreds, yea, many hundreds of cases, yearly, both mother and child come under this hazard.

A child whose parents are unable to care for themselves stands a fair chance to land in the poorhouse. They are there now. It is not unlawful to keep them there. Sufficient outdoor aid for the benefit of children and payments to mothers of dependent children in order that the family may be held together and educated is not a part of the policy of the state.

A child whose parents are indifferent to education may easily grow up in ignorance. Rigid enforcement of the compulsory education law is not a part of the general practice. Even if the law is rigidly enforced the child can be compelled to attend school between the ages of 8 and 14 years only twenty-eight months. This of course is not sufficient to give even fourth grade education, and a fourth grade education is no proper preparation for successful living.

In practice there is but little restriction upon the employment

of children. The child may be placed at almost any employment at almost any age. There has never been any proper enforcement of the little law which has been enacted for the purpose of regulating the employment of children. The law permits any child more than 13 years of age to be employed at the most dangerous occupation and for 60 hours a week.

Dependent children are suffered to go in neglect until they frequently become delinquent. Even in cases of delinquency the child is left uncared for until the violation of some criminal law brings him before the court. Probation work under a properly established juvenile court is not generally known.

These and others of a similar nature are the things which demand the thought of all those citizens who seriously seek to have a state in which all are strong and efficient.

There are some matters which ought to engage the serious consideration of the next General Assembly. A good child labor law could be enacted as a unit within itself. There already exists a Department of Labor which should be charged with its enforcement. Provision could be made at any time for making payments to mothers of dependent children. A complete juvenile court act would likewise form a separate unit and should be given consideration. But the best will not be had and the real work of growing children will not be successfully launched until more constructive thought is given to the whole matter. It would be a great mistake for the General Assembly of 1919 to undertake to do this completer work. Deliberate and well matured thought is needed before final action is taken. Men and women must turn the whole matter over in their minds so as to get a view of it from every angle.

The General Assembly of 1919 should authorize the Governor to appoint a commission the members of which should serve without pay, which should study all conditions and laws affecting children and report to the General Assembly of 1921. The Governor would have no trouble in finding men and women ready to serve the state in this capacity. The educational institutions would be only too willing to co-operate with such a commission.

DEPENDENCY AND DELINQUENCY

MABEL BROWN ELLIS

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INTRODUCTION

Lack of Child Welfare Legislation and Agencies.

The study of juvenile delinquency and dependency in North Carolina presents peculiar difficulties because of the lack of local agencies and the absence of adequate child welfare legislation which characterizes the state. There will be, as the state and county boards of public welfare develop, a network of related agencies reaching into every corner of the commonwealth which will be directly charged with the care of dependent and the delinquent children as well as the adult paupers and criminals, but since the establishment of the county boards is optional rather than compulsory, that time is still in the future. The state has at present no well-developed plan of care for the dependent child, not even a state institution to which he may be sent, and delinquent children are still tried under the criminal code, frequently held in jail and occasionally committed to the state penitentiary. There is no children's institution in the state, public or private, to which delinquent boys and girls of the colored race may go, no place for delinquent white girls except one

small private institution (although the legislature has voted to create a state institution*) and the Stonewall Jackson Training School for white boys was filled to capacity in 1917. There are only three full-time probation officers in the state and only one of these keeps adequate records; and of the nine charity organization societies, only three record family histories in any detail. The official bookkeeping at almshouses, jails, and courts rarely indicates the age of persons received and it is accordingly impossible to get any clear idea of the number of children among them. This means that in North Carolina the sources from which one naturally expects to secure statistical information are, for the most part, either nonexistent, or blocked.

Where agencies do exist, they are hampered by poor laws.

The present compulsory education law requires attendance at school for four months only and provides no satisfactory machinery for enforcement. The child labor law protects children to the ripe age of 12, and entrusts the inspection of manufacturing establishments and prosecutions for violations of the law to one man—in a state which in 1910 employed 9,303 children under 16 in 281 cotton mills alone!

North Carolina has no juvenile court law, for the Probation Courts Act, passed in 1915, accomplished little more than a partial introduction to the principles of probation. It in no sense established a real juvenile court. There is no mother's pension law; nor is any public money available for school scholarships or free textbooks. Desertion is a misdemeanor, hence non-extraditable. Bastardy is punishable by fine. Contributing to the dependency or delinquency of a child is made a misdemeanor, but no penalty is provided and without probation officers to press the prosecution of the offender, he is likely to go scot free.

> A specific illustration of the difficulties which the present laws present to a probation officer in his efforts to remove children from a notoriously unfit home is given in the following letter. The correspondence relates to a mother who has long been suspected of receiving men at her own home for immoral purposes:
>
> "I informed you while here that my intentions were to secure sufficient evidence to warrant us taking these children from the home, and with this

*This institution has now (September, 1918) been provided. See Report on Institutions.

in view I consulted the Chief of Police who promised to let me have a plain clothes man to aid in the case; however before taking steps I held a conference with the plain clothes man, the Chief, and two practicing attorneys and to my surprise, discovered that it would be impossible to handle the case in this way for the following reason:

"In the first place an officer cannot enter a dwelling house unless he suspects that there is a breach of the peace, or some more serious offense being committed. In the second place you cannot convict a person of fornication or adultery in this state on the first offense—you must prove that it is a regular practice or condition. Therefore, according to the statement of the officers, it is impossible to enter the house to secure the *first* conviction as this does not seem to be a breach of the peace!! The only thing that can be done is to have an officer watch the house for several nights and in the event that the men continue visiting and *remaining* therein, we could warrant the inmates for running a "bawdy" or disorderly house. Were we to catch these parties committing the act there is absolutely no charge that the officer could put against them !!! We need a slight change in our laws !! I have requested the Chief to have the man on the beat secure all possible evidence of a disorderly house."

Intermingling of Children and Adults

A second difficulty in clearing the way for study of the situation is found in the fact that North Carolina draws the dividing line between childhood and maturity farther down the scale than do many states.* Whether this may be partly due to those hard days after the Civil War when mere boys had to do men's work because there were no men left or whether it is due to the long isolation of large parts of the state which are now feeding down into the mill villages and tobacco factories the standards of Revolutionary times or whether still other factors may be held responsible, it is hard to say. The fact remains that until the Federal Child Labor Law went into effect, the state law permitted a child in North Carolina to go to work at 12; that the compulsory education law has only recently been raised to 14; that a child over 14 may still legally be held in jail (though not with adult prisoners); that the age of consent is 14. The state law legitimizes marriage for a girl at 14 or a boy at 16. And since no effective agencies have ever been provided for the en-

* The Children's Bureau in its Handbook of Federal Statistics of Children concluded that the period of life from birth to the fifteenth birthday probably coincides as closely as any other with the popular conception of the years of childhood. The tendency, however, especially in juvenile court and child labor legislation, is to raise the age.

forcement of even these low standards, and no adequate penalties have been established for their violation, they have had little effect upon public opinion. Not only is this true of rural districts and villages; it tinges the thought of the cities, where it is nothing uncommon to hear it said of a troublesome boy of ten or twelve, "Oh, he's a hardened criminal! There's no use of trying to do anything with him."

So it is impossible in North Carolina to discuss juvenile delinquency and dependency apart from the situation with regard to adults. In the first place, the laws with a single exception* class as adults certain individuals who would be considered children in most states and public opinion sustains and approves this division. In the second place, the child, either dependent or delinquent, receives practically the same treatment as the man. The boys are everywhere the men are—in the county convict camps, in jail, at the state penitentiary, in the almshouses, cared for by the same persons under practically identical conditions. The State Board of Charities has tried to improve this situation and has accomplished a beginning, particularly with regard to removing dependent children from almshouses, but since no appropriation whatever has yet been made for carrying on the frequent inspections which alone can secure results, its efforts have not met with the success which they deserve. It is accordingly necessary to outline the whole penal system and the whole system of public and private relief in order to find out what is happening to the children.

The Negro Problem

A third complication arises from the social distinctions which separate the white from the negro race. According to the census of 1910 there were then in North Carolina 890,165 children under 15 of whom 593,301 were white and 296,864 were negro, a proportion of approximately two to one. The state had at that time no immigration problem, over 99 per cent of all the children being native born of native parents. But with the industrial development which the European war is forcing upon the South, this situation is not likely to endure. Wilmington, for example, which is preparing to increase its population by one-third when the government ship yards

*The Probation Courts Act defines "juvenile" as 18 years of age or under.

are once in full swing, will probably face an influx of foreign born labor. That problem, however, rests with the future and it will not, in any event, involve the social adjustments which the presence of the negro implies. No separate schools or institutions will need to be provided for the foreign born white child, while every child welfare provision needs to be doubled in a state where the negroes form so large a proportion of the population.

The laws are theoretically for the benefit of both races alike, but close observation of the difference in the treatment accorded to white and colored children by the courts of the state arouses disquieting doubts as to the validity of the theory. The negro child has not to fear deliberate harshness of judgment, for the southern white is more tolerant of the weakness of the colored race than is the northerner. The great danger is his indifference and his entire lack of comprehension of the material and spiritual resources which are now available in the colored population of North Carolina. Granted that many negroes are shiftless and ignorant and that for some standards of personal morality seem at times non-existent, there is still a group in most towns of any size, composed of industrious and intelligent colored men and women who could, with slight direction from the whites, materially assist in improving the condition of the dependent or delinquent child of their own race. Quite aside from the results to the child, which are naturally of first importance, enlisting the co-operation of the best type of negro might help to reduce the expenses of the county and state institutions by lessening the number of commitments.

One 10-year-old colored boy who had already been three times "sent to the roads" and had each time escaped was just receiving sentence to the state penitentiary, when a negro man who happened to be in the courtroom on other business asked the judge to suspend sentence and give him a chance at the boy. The judge gladly consented and the man took the child to his farm four miles from town where he has been taken care of ever since and has not given the slightest trouble. But if fate had failed to produce a friend at that special moment, the boy would have been today a convict in the state penitentiary—at 10 years of age! It was good luck, not any deliberate effort on any one's part, which saved him. Yet in his home city is located one of the best colleges for colored people in the south and among the resident negro teachers, lawyers, physicians and business men whom it numbers among its alumni, could be found ample material for an advisory committee to look after just such cases.

Variety of Standards

Add to the difficulties which arise from the presence of the two races, the confusion of children with adults in the popular mind and the lack of child welfare agencies and laws, the fact that North Carolina's former system of "private legislation" resulted in wide variety of standards in the city governments and absolute lack of uniformity among the inferior courts, and one gets some idea of the complexity of the situation. Asheville, for instance, has a compulsory school attendance law of its own, operative during a nine-months' school year, while Raleigh, acting under the state law, can compel children to attend school during only four months of the year. Every one of the local courts included in our study differs from every other in jurisdiction and powers. The official records of public agencies which deal with dependent and delinquent children are poorly planned, to begin with, and each one different from every other, and they are seldom carefully kept up. Persons who can give definite information on the situation are few and far between. In studying our particular field in this survey, we found only four social workers in the entire state, aside from the federal and Fosdick Commission employees at Charlotte, who had received any sort of professional training for their present occupation.

Plan of Work

The only way to secure reliable state-wide statistics would have been to send staff investigators into every one of the hundred counties to make a personal investigation of the situation. This was obviously out of the question. It seemed wiser to concentrate on a few typical communities and to secure from them, first, an accurate picture of what was actually happening day by day to the children in need of help and, second, to get some idea of the sources from which flowed this stream of juvenile delinquency and dependency.

The 6 cities chosen for the study were Asheville, the famous health resort in the mountain section; Charlotte, the largest city in the state, a manufacturing and cotton mill center; Goldsboro, the county seat of a strictly rural county, with diversified agricultural interests; Raleigh, the state capital; Wilmington, the seaport; and Winston-Salem, the center of the tobacco industry.

In each city we interviewed all the public officials who dealt with either dependent or delinquent children, including the judge of the local court, the clerk of the superior court, the chief of police, the sheriff, the jailer, the truancy or probation officer, the chairman or clerk of the Board of County Commissioners, the superintendent of the county and city institutions, jail, lock-up, tuberculosis hospital, reformatory and the like and personally visited all these institutions and consulted their records.

We also interviewed such private agencies as existed, with the exception of children's institutions which are covered in another section of the report. We included hospitals and sanitaria open to charity cases.

Our findings in these cities have been supplemented by reference to the reports of the State Board of Charities which give state-wide statistics relating to certain phases of child welfare work, chiefly institutional care; to the office of the State Department of Health which is charged with the duty of inspecting jails, convict camps and other penal institutions and whose score cards have been placed at our disposal; and to the office of the Attorney General where are filed reports giving name, age, sex, race and occupation of all persons tried before the Superior Courts of the State. The objections to accepting the latter statistics as thoroughly dependable are discussed in the sections where they are used.

But even the slightest stirring of the surface in any one of our six cities revealed many children not included in any court or charity list who were yet clearly instances of failure of parental control or support—children not technically delinquent or dependent, perhaps, either because of the low standards set by the state laws or because no one had ever taken the trouble to enforce such laws as there were—yet children who represented home conditions which were without question dangerous to the welfare of the community. Two efforts were made to secure the names of such children.

On the schedule used by agents of the National Child Labor Committee in their investigation of rural schools (See Section on Education) space was reserved for entering the name and address of any child known to the teacher of the school as dependent, neglected or wayward. A dependent child was defined as one whose family received aid from outside sources, or a child not legally adopted, being permanently cared for in some family other than his own or

his relatives. A neglected child was one of school age who was regularly kept out of school during the compulsory attendance period for other reasons than distance from the schoolhouse or one whose parents clothed or fed him insufficiently or abused him. The term wayward child did not include ordinary misbehavior at school, but applied only to cases of real misconduct which made the child a source of active concern to the neighborhood.

The second effort also utilized the school as a source of information. Through the courtesy of the city superintendents of schools in Asheville, Charlotte, Goldsboro and Winston-Salem, blanks were sent to each teacher in the public school system, white and colored, asking them to report names and addresses of any child in their own rooms, known to them as having been, within the present school year:

(1) Truant more than three times.
(2) Arrested and tried before any court.
(3) Engaged in stealing or in sex offenses.
(4) The recipient of aid from the school whether in books, clothing, shoes, glasses or the like.
(5) Committed to any orphanage, child-placing society or county home.

Permission to send these questionnaires to the teachers or indeed even to consult the teachers about individual cases was refused us in Raleigh. In Wilmington, because of a misunderstanding as to the date of closing the public schools, the schedules arrived too late for distribution. Through the co-operation of the superintendent and principals, considerable information was secured in Wilmington in spite of this disadvantage, but the figures are not comparable in completeness to those from the first four cities.

The value of this information, considered as standing alone, is debatable. It cannot be taken as affording any index to the amount of juvenile delinquency or dependency in any community or for comparison of the towns included in the study. Because of the overcrowded conditions of the public school buildings in several of the cities visited, no effort whatever is made to get all the children enrolled in the fall. It frequently happens that the boys and girls in need of care never enter school at all and are consequently unknown to the teachers except by chance through other children. Or they may enter and drop out in a few days before anything is known about

them.* Numbers are still further reduced by the fact that many teachers feel some hesitancy about reporting names of offenders to an outside person, even though the information is to be held confidential.

The questions called for facts only and were designed to secure the names of juvenile offenders of the three types most common and most easily recognized, the truant, the petty thief and the sex offender. No case was reported which upon investigation did not seem to have some foundation in fact. Very few instances of sex delinquency among girls were listed in towns where from other sources our investigator learned of cases which must have been known to the teachers, but this is not surprising in view of the reluctance always felt in approaching such matters, particularly when they involve respectable families.

Further, the fact that a child received free books or clothing at school does not necessarily mean that his family are really dependent although it usually does indicate poverty. The extreme slovenliness of certain mill village mothers, rather than a real lack of income, explained the appearance of destitution which had brought generous contributions to their children from the school. And as the study of methods of admittance to orphanages shows (see Report on Institutions) the investigation of applications, where one is attempted, is too meager to afford much insight into the real need of the family.

But the teachers' reports, in spite of all this, had distinct value as throwing light on a number of cases known to the school which were unknown to any other agency. The names also gave our investigators a valuable lead as to neighborhoods which would well repay a special visit. The usual centering of bad health conditions, poor sanitation and housing in those parts of town from which the largest number of juvenile delinquents and dependents come was found to hold good of the smaller towns as of the cities. When time was limited one accomplished most by going direct to these breeding places of trouble. The schools pointed them out.

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*In one city visited, it is a rule of the board of education that "any pupil who is absent or tardy four times in four successive weeks, except for a valid excuse rendered in writing by the parents or guardians, shall *forfeit his seat* on order of the superintendent but may be re-admitted by order of the school committee or superintendent." The superintendent here assured us that they *had no truancy problem!*

PART I

LAWS AND AGENCIES WHICH AFFECT BOTH DEPENDENT AND DELINQUENT CHILDREN

State Board of Charities and Public Welfare

The North Carolina Legislature in 1917 created a State Board of Charities and Public Welfare, but neglected to make any appropriation for carrying on the duties assigned to that body. A commissioner and a secreatary were appointed, however, and office room was assigned in the capitol building. The routine office work has been kept up and such inspections of jails, almshouses and institutions as one man can make have been undertaken—salaries, traveling and office expenses being met by money borrowed by the board. No appropriation can be hoped for until the state legislature meets again in 1919. As a natural result of this situation, the board has been greatly hampered in the execution of the many duties imposed upon it by law. The inspection of institutions, almshouses, jails and county convict camps is proceeding as rapidly as possible, with the co-operation of the State Board of Health. But the research work into the causes of crime, poverty and mental and physical defect, which is so fundamental a responsibility, has of necessity been obliged to await a more favorable time.

Indirectly, all the activities of the State Board affect both dependent and delinquent children, just as any effort to improve social conditions in general can not help but react to the good of all classes. Certain activities relate specifically to those children who are receiving institutional care or who are in the hands of a home-finding society. For children outside the institution, three main lines of service are indicated. The board must investigate the causes of distress, it must inspect jails and almshouses (not children's institutions, though children are found there) and it must encourage the employment by counties of a county superintendent of public welfare.

Under the head of research, the board is directed to study:

(1) The subjects of non-employment, poverty, vagrancy, housing conditions, crime, public amusement, care and treatment of prisoners, divorce and wife desertion, the social evil and kindred subjects and their causes, treatment and prevention and the prevention of any hurtful social condition.

(2) The welfare of the dependent and delinquent child.

(3) The causes of insanity, defect or loss of the special senses, idiocy and the deformity and infirmity of the physical organization.

For this purpose, the commissioner employed by the board is required to be a "trained investigator of social service problems" and on the basis of his findings the board must recommend to the legislature the passage of needed social legislation and the creation of necessary institutions.

For reasons before indicated, it has been impossible for the board thus far to undertake any work of a research nature, except in so far as the compilation of institutional statistics may be considered a step in this direction. It has, however, secured the promise of the National Mental Hygiene Association to make a statewide study of insanity, its causes, care and prevention, and it is hoped that the Association will also include the feeble-minded in its survey.

The second duty, that of inspecting jails and almshouses should not concern us at all. No child ought to be kept in either place. But as a matter of fact, boys and girls of both races, normal and subnormal, are sometimes found in the almshouses and occasionally in the jails. Prior to the reorganization of the department of charities in 1917, the secretary had formed volunteer boards of county visitors in each county of the state, who visited jails and almshouses at least once a year and usually twice, and filed written reports with the department describing the conditions they found. The secretary laid great stress upon the necessity of reporting all children present in almshouses on the day of the committee's visit and urged upon committees, county commissioners and superintendents of almshouses the immediate removal of such children to suitable institutions or their placement in good family homes. Although the volunteer committees are no longer in existence, traces of their influence are still to be found in some of the almshouses which were visited. Normal children are rarely kept for any length of time, except young babies with their mothers, and the superintendents generally agree that they do not belong there. How well and how promptly the transfers are being effected is another question which is reserved for later discussion. Such children as remain for any length of time in either jail or almshouse naturally profit by the efforts of the board to improve sanitation and general living conditions.

But if the third duty of the board with reference to our special group of children is ever fully discharged, it will gradually eliminate all necessity for the second task. The board is made directly responsible for the encouragement of the County Board of Public Welfare

idea, and when this idea once takes root there will be no more children in jails and almshouses.

County Board of Public Welfare

The North Carolina plan for a County Board of Public Welfare differs somewhat from the Missouri and Minnesota plans. The establishment of the board is made optional with the county commissioners, never a very wise arrangement when the carrying out of a plan involves the expenditure of county funds. Having decided to appoint a board, the "advice and consent" of the State Board of Charities and Public Welfare must be obtained as to its personnel, but the county commissioners actually make the appointments. There are no *ex-officio* members of the County Board, and the State Board may at any time remove them. Nor is it specified that one appointee be a woman, as in some states. The three members serve without compensation for a term of three years, one member being chosen each year after the first election. They are required to meet at least once a month with the county superintendent of public welfare to advise with him about the problems arising in his work. If no county superintendent of public welfare has been appointed—and in August, 1918, there were none in the state—the law prescribes no special duties for the County Board. Inferentially, however, it may be expected to concern itself with what would be the task of the county superintendent had one been chosen, since a demonstration of the work awaiting such an official is one argument for his appointment.

Only one county had chosen its board in May, 1918. This was Forsyth County, also the only county in the state to have a full time salaried probation officer.*

The County Superintendent of Public Welfare

The relationship between county superintendent and county Board of Public Welfare is advisory only. The power of appointment and discharge rests with the county commissioners, subject, so far as appointment is concerned, to the approval of the State Board of Charities. The commissioners fix the salary and it is paid on their

*Forsyth County has now (September, 1918) appointed a County Superintendent of Public Welfare, choosing for the position a trained social worker of ability and experience.

order from the county funds. No special qualifications are demanded of the candidate for the position of county superintendent of public welfare except that he must have been certificated by the State Board. Yet he is expected to perform such diverse tasks as the administration of the charity work of the county, the organization of recreation, parole and probation and home-finding. He is specifically given oversight of dependent and delinquent children, especially those on probation and, like the State Board, he is required to investigate into the causes of distress. He is indeed to act as the agent of the State Board at any time when required to do so. The idea of the measure is clearly to link up all the social service of a public nature in all the counties with a strong central board at the state capital but although three separate agencies are involved in choosing and paying the county superintendent, the real power rests in the hands of the county commissioners.

An interesting effort to overcome the financial handicap of the smaller counties is seen in that clause of the law which permits the commissioners to combine the two offices of county superintendent of schools and county superintendent of public welfare, although no school superintendent is eligible for the second office who cannot produce a certificate of qualification from the state board. A combination with the duties of county truant officer is also authorized.

The creation of both state and county boards of public welfare is provided for in Chapter 170 of the Laws of 1917. Both boards deal with the criminal, the pauper and the defective, whether he be child or man. But there is as yet only one county board with a superintendent and the state board has been struggling along with no appropriation and with only the commissioner and his secretary for staff. The benefits to be hoped for from the passage of the law have hardly yet begun to touch the dependent or the delinquent child who is outside the institution.

The Probation Courts Act

On the other hand, the Probation Courts Act (Chapter 222, Laws 1915) has exercised a decided influence upon the situation. It is the nearest approach to a juvenile court law to be found in the state and in spite of its many defects it has succeeded in introducing the idea of probation to the courts. North Carolina has no adult probation law.

In order to understand the operation of the act, it is necessary to know something about the judicial system of the state. At the top stands the Supreme Court with both civil and criminal jurisdiction, the court of last resort, which handles, of course, appeal cases only from all over the state. Children have rarely reached this tribunal. Next in rank come the superior courts which, like the Supreme Court, are provided for by the state constitution. The entire state is divided into 20 districts, each one of which elects a judge every eight years at the general election in November. These judges pass in circuit from county to county, holding, amongst them, at least two terms of court yearly at each county seat, known usually as the "Fall and Spring terms." In the larger counties, however, where the volume of business is great, court may be in session nearly every month of the year. The jurisdiction of the superior courts covers both civil and criminal matters and in counties where no local court has been established the judges hear all cases above the jurisdiction of the justice of the peace.

While judges of the superior court are elected by districts and each district includes several counties, the clerks of the court are elected one from each county, so that North Carolina, with 20 judges, has 100 clerks of the court. The clerk is always on duty. He represents the court when it is not in session, and besides his task as recorder of court transactions has certain definite responsibilities with regard to dependent children which correspond roughly to those devolving upon the probate judge in many states. He protects all dependent minor children, looks after their estates if they have property, has charge of all adoptions and indentures and he may, on receipt of written complaint from three respectable citizens, if investigation proves the complaint well-founded, remove a child from an unfit home and either apprentice it or commit it to an orphanage. He is the one person connected with the superior court who can be found in every county courthouse every business day and to his records we are indebted for such statistics as were available on the state-wide situation.

The clerk is required to report to the Attorney General after each session of the superior court the name, offense and disposition of each prisoner tried. The blank forms sent out from the Attorney General's office ask also for information on age and occupation of each prisoner, but these questions are frequently not filled out.

However, the mere fact that reports are required serves as a slight bond between the state and the county and presents some possibilities of supervision, besides affording statistical information.

In all counties there will be, besides the superior court, justices of the peace whose jurisdiction is limited to offenses which may be punished by fine not to exceed $50, or imprisonment not to exceed 30 days—in other words, to the minor misdemeanors. The mayor of any incorporated place is *ex-officio* a justice of the peace, and occasionally we find him conducting regular court sessions, known as the Mayor's Court.

As towns increased in population, however, and the number of arrests increased, it became more and more inconvenient to defer a hearing on offenses which were beyond the jurisdiction of the justices until the next session of the superior court. There were always men under arrest who could not furnish bail. Men convicted of offenses could be worked on the county roads, but not men simply under accusation and awaiting trial. The jails grew congested and the expense of feeding and caring for the prisoners became heavy.

In order to get relief from this condition, various cities and counties secured the passage of special legislation (Private Acts) which permitted them to establish local courts of their own. Since the courts came into existence at different times in different parts of the state to meet different needs, it is not surprising that no two of them are alike.

Asheville—

> Of the six cities which we visited, for instance, Asheville's local court, known as the Police Court, has jurisdiction over all criminal offenses committed within the city limits, coming under the jurisdiction of a justice of the peace, exclusive original jurisdiction over all violations of city ordinances and over all other offenses under the grade of felony and civil jurisdiction over recovery of penalties. It may punish by fine or imprisonment or both and may sentence convicted men to work on county or city roads. The justice is elected by the people at the municipal elections and may not hold office more than one two-year term.*

Charlotte—

> Charlotte has a recorder's court which is given such jurisdiction and powers in criminal offenses occurring within the city limits as belongs to a

*Pri. Laws 1905 Ch. 35—as amended by Pri. Laws 1912 Ch. 58.

justice of the peace, exclusive original jurisdiction over misdemeanors consisting of violations of city ordinances and all proceedings for the recovery of fines, forfeitures, etc. Its powers of punishment correspond to those of the Asheville Court. The recorder is elected by the board of aldermen to serve two years.*

Goldsboro—

Goldsboro, the smallest town we visited, is the only one to have two courts besides the superior court in regular session. The mayor holds court daily in the City Hall, disposing of such cases arising within the city limits as fall within a justice's jurisdiction. The County Court of Wayne County is held regularly each Monday and oftener if necessary. Its jurisdiction is county-wide. The judge is elected for two years by the people at the time when the other county officials are chosen. The court has:

(1) Final original jurisdiction of all misdemeanors in county and all crimes the jurisdiction of which is now given to justices of the peace, in addition, of the following crimes: carrying concealed weapons, gaming, gambling, keeping gambling houses, keeping bawdy houses, larceny or receiving stolen goods knowing them to be stolen, wherein the value of the articles does not exceed $10, failure to list taxes, assault and battery with deadly weapon or when serious damage is done, fornication and adultery, abandonment, cruelty to animals, malicious injury to real or personal property, trespassing on land after being forbidden, forcible trespassing, enticing servants to leave masters, indecent exposure of person, retailing spirituous liquors without license, selling or giving away cigarettes to a minor, obtaining advances by false pretense, disposing of mortgaged property, all crimes against public health, as contained in the Revisal of 1905, "Section 3440–3458," all misdemeanors as contained in Chapter 8 of the Revisal of 1905 where punishment does not exceed $200 fine or imprisonment for one year, and all crimes which under the common law are misdemeanors wherein the punishment is within the discretion of the court.

(2) Jurisdiction in civil matters as follows:

- (a) Concurrent with justices of the peace.
- (b) Concurrent with superior court on contracts.
- (c) Concurrent with superior court on torts where amount involved does not exceed $1,000.
- (d) Appeals from justices courts unless appellant demands superior court trial.
- (e) Concurrent with superior court and with justices of the peace in proceedings for attachment and for claim and delivery.

Powers: Fine and imprisonment or both. May sentence to county jail and public roads.

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*Pri. Laws 1907 Ch. 342.

Transfers: Justices of the peace must transfer criminal cases in which guilt is probable to county court. Superior court must transfer all cases coming within jurisdiction of county court.*

Raleigh—

Raleigh has a Police Justice Court. The justice who must be "learned in the law and of good moral character" is elected by the people for a term of two years. Jurisdiction is limited to the city of Raleigh. The law confers upon the court

(a) Exclusive jurisdiction over all offenses arising from violations of provisions of city charter or ordinances, by-laws, rules and regulations of board of aldermen.

(b) Jurisdiction of justice of the peace for trial and determination of criminal cases.

(c) Jurisdiction over all other criminal offenses created by state below felony. These are declared to be petty misdemeanors.

(d) In matters where court has not final jurisdiction it may bind over to Superior Court of Wake County or if offense be capital offense may commit to jail.†

Winston-Salem—

The local court in Winston-Salem is called the Recorder's Court. As in Charlotte, the recorder is elected by the board of aldermen for a two-year term. The classes of offenses falling within its jurisdiction is similar to the Goldsboro list, but the Winston-Salem court handles only city cases. It has:

(a) Final exclusive original jurisdiction of all misdemeanors occurring within city and of all crimes over which a justice of the peace has jurisdiction. In addition, over the following crimes; carrying concealed weapons, gaming, gambling, keeping gambling houses, keeping bawdy houses, larceny or receiving stolen goods knowing them to be stolen wherein the value of the article does not exceed $10, failure to list taxes, assault and battery with a deadly weapon or when serious damage is done, fornication and adultery, abandonment, cruelty to animals, malicious injury to real or personal property, trespassing on land after being forbidden, forcible trespass, enticing servants to leave masters, indecent exposure of person, retailing spirituous liquors without license, selling or giving away spirituous liquors to a minor, obtaining advances by false pretenses, disposing of mortgaged property, all offenses against public health as contained in the Revisal of 1905.‡

*Pub. Loc. Acts 1913, Ch. 697.
†Pub. Loc., Acts 1913, Ch. 706.
‡Pub. Loc., Laws 1907, Ch. 573.

Section 87 of the city charter of Winston-Salem provides for the appointment of a probation or truant officer by the municipal recorder's court, subject to the approval of the board of aldermen.

Wilmington—

New Hanover County, outside of the city of Wilmington, is small and sparsely settled. The organization of both courts and schools is on a county basis. The city gets its proportionate share of the county funds but has no separate administration in these two fields. The recorder's court has:

(a) Justice of the peace jurisdiction over all criminal offenses and misdemeanors arising from violation of city ordinances.

(b) Exclusive original jurisdiction of all other criminal offenses committed in county below grade of felony. These are declared to be petty misdemeanors. In all cases heard by police justices, in which probability of guilt is found, defendant must be bound over to Recorder's Court, and if bond cannot be furnished, must be committed to jail to await trial.

(c) Jurisdiction over all actions for the recovery of any penalty imposed by law or by this act or by violation of city ordinance.

The recorder and clerk of the court are elected by the people of the county every four years. Their salaries are paid half by the city and half by the county. Court is held daily.*

Juvenile Court Sessions

The local courts have been described in some detail because it is upon them with all their lack of uniformity, that the Probation Courts Act throws the burden of the so-called juvenile court work. Recorders' courts and "like courts in other cities where recorders' courts have not been established by law" are given concurrent jurisdiction with the superior courts over dependent and delinquent children eighteen years of age and under "except in extreme and criminal cases." Jurisdiction over children's cases is taken from the justices of the peace. But in many counties there is no recorders' court. Only about 30 of these local courts are known to the legislative reference librarian at Raleigh. In the 70 other counties the superior court is the only court which has jurisdiction over children's cases, and months may intervene between sessions. If a child is arrested and cannot give bail he may spend this time in jail.

To all intents and purposes the recorders' courts had concurrent

*Pub Laws 1907. Ch. 454 as revised by Pub. Laws, 1909, Chap. 398.

jurisdiction with the superior courts before the passage of the Probation Courts Act for they handled practically all cases, of whatever age, arising within their territory, except the "extreme and criminal cases," which awaited superior court action, and still await it. But the Probation Courts Act marked three forward steps of importance.

It set the age of a juvenile offender, either boy or girl, at "eighteen or under," which is the highest limit yet established by similar legislation in any part of the country; it introduced the theory of probation after the offense rather than immediate commitment or other punishment; and it established the principle of separation of the juvenile from the adult offender by suggesting separate trials for children, by requiring a separate docket to be known as the "Juvenile Record," and by forbidding the imprisonment of any child 14 years old or under in any jail or prison enclosure where the child might be the companion of older or more hardened criminals.

The first provision, however, is weakened by an exemption which permits a judge to use his own discretion in handling a child "known to be a repeated offender against the law, incorrigible and a menace to the freedom of society." This is in addition to the exemption of "extreme and criminal cases." It seems to apply to children whose offences are not quite serious enough to bring them under the latter classification but who are continually in trouble and appear in court again and again. They are, of course, the children most in need of probationary care of an effective sort. Some of them are doubtless feeble-minded; others are really neglected children rather than delinquents. They are the group above all others for whom the discriminating guidance of a real juvenile court is needed. The exemption should be abolished.

Probation.

If a real juvenile court is ever to be established in North Carolina, however, the present provisions regarding probation must be entirely rewritten. The duties of a probation officer do not consist simply of looking after a child who has been convicted of delinquency which is all the North Carolina law requires. He should be required to investigate the circumstances of each alleged offense before the trial is held and should be required to present to the judge in writing before the trial, the substance of his findings. The investigation should cover as a minimum, the family, school and occupational

history of the child as well as the story of the offence charged against him. The officer should be required to attend the trial to present this evidence and to act as next friend to the child. The fact that children in North Carolina are still tried under the criminal code need not affect the legality of this procedure. New York overcomes a similar difficulty by deferring sentence and remanding the child until the probation officer can make his investigation and report.

Action against a child in the North Carolina Courts is begun by filing an affidavit or by taking the oral testimony of "any parent, guardian or other person controlling a child or any other reputable person who knows the child's condition and needs." Anyone of the several criminal courts given concurrent jurisdiction over the delinquent or the dependent child by the Probation Courts Act may conduct the hearing either in private or in regular open session. There is no requirement for serving notice upon the child's parents, and the probation officer is not allowed to investigate the case before the trial but is only given charge of the child if, after hearing the testimony, the judge decides that the offender should be given a chance on probation.

> The difficulty which a judge encounters in endeavoring to pass sentence on a child without a full understanding of the case is well illustrated by the story of Sam B.—a negro boy of 8. He was arrested one Friday night by the police on complaint of a man who said Sam had picked his pocket. The boy was held in the city lock-up over night and on Saturday morning appeared before the judge for sentence. While it was the first time Sam had ever actually been arrested, he had frequently been complained of for begging on the streets and the police and the truant officer knew him as a troublesome child. On the strength of this well-established fact, although the boy denied ever having stolen and the complainant did not even appear at the trial, the judge gave Sam an indeterminate sentence of from 1 to 5 years in the County Reformatory, more as he said, in the hope of thereby keeping him off the streets than with any desire of punishment.
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> While the boy was awaiting the patrol wagon, he was interviewed by one of our investigators. Sam was a well-grown, bright-faced little darkey, fairly well dressed. He admitted begging and said his mother used to make him do it, but denied the theft. He gave the address at which he lived with his grandmother, his father's name and place of employment and the name of his school and teacher.
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> It took just two and one-half hours to establish the following facts. Sam and his three brothers and sisters lived with their grandmother. Their mother had been caught in the Ohio floods and had lost her mind as a result of her experience. She returned to her husband, however, and

kept house for him about two years and during this time she did send Sam out to beg. Finally, she grew so much worse that she had to be sent away and her own parents in South Carolina offered her a refuge with them. She took the baby with her and her husband paid for the care of the other three children at his mother's house. The grandmother, a decent, hard-working old laundress, did not know Sam had ever gone out begging since his mother left. She said relatives in South Carolina (not the mother's parents) had been anxious to take the boy for some time and that they were comfortably situated and could give him a good home. Sam's father did not live with his mother and the children, although he continued to pay for their care, and did not exercise much supervision over Sam.

The father, who was interviewed at his place of employment, confirmed the statement of the grandmother and said he was able and willing to pay the boy's carfare to his relatives. He referred to an aunt who had just come from South Carolina on a visit and could perhaps take Sam back with her. The probation officer happened to know the man personally and vouched for his reputation as a steady, hard-working fellow.

The aunt proved to be a college graduate and a teacher, whose modest dress and manner offered the best possible guarantee of the sort of family from which she came. She assured us that the South Carolina relatives, who were old people, living alone, really wanted the boy for company, that he would be near a good school and would be sent regularly and would be given an opportunity for a good education later, if he wanted it.

The school principal said Sam was a bright boy, a favorite with his teachers and well-behaved on those rare occasions when he came to school. He considered the boy's truancy the result of lax discipline at home rather than laziness or viciousness.

The judge, when these facts were presented to him, very gladly rescinded the order committing Sam to the reformatory. Within a week letters came from South Carolina confirming the reports of satisfactory arrangements there, and the boy was on his way, at his father's expense, to a good home.

Had the probation officer been required by law to visit the child's home before the trial, even the most casual inquiry would have revealed the foregoing facts. As it was, the boy's father did not even know that the child had been arrested, much less that he had been sentenced to the County Reformatory, at 8 years of age, for a term of from 1 to 5 years.

The appointment of probation officers is apparently compulsory upon the local courts of North Carolina but the only provision for paying them is found in Section 3 of the Probation Courts Act, which says cautiously, that "after the court has seen the necessity of having one or more probation officers to seek to guide and train the child aright" (Cf. Sec. 2, which says it shall be the "duty" of the

court to appoint officers, "after consultation with proper persons"), it shall appoint "the best person available in the community who is willing to serve in this capacity and shall *suggest* to the county commissioners that such probation officer be paid whatever amount is deemed advisable and just by the court." The commissioners are then in their discretion authorized to make an appropriation for this purpose.

Compulsory or not, only 10 cities have thus far complied with the law, according to the directory of probation officers in the United States and Canada which has just been published by the National Conference of Social Work (May, 1918). The following list is given for North Carolina: Asheville, Shelby, New Bern, Winston-Salem, Gastonia, Hendersonville, Statesville, Spray, Raleigh, Wilson.

The city of Winston-Salem has the only man on this list who gives full time service to the juvenile court work. He is also the only man who has had any previous training for his present duties. The court is fortunate in having recently secured an officer from the Court of Domestic Relations in Richmond, Virginia, who is familiar with good standards and is trying to introduce them as rapidly as he can. His record system is well planned and his method of approaching the local situation shows a clear comprehension of the relationship which the court should bear to the community. The outlook for the establishment of a good probation service at Winston-Salem is decidedly hopeful.

Asheville employs two men, one for each race, who act also as attendance officers and take the school census during the summer vacation. They are thus occupied the year round at a fair wage. While school is in session, the combination of duties works fairly well, for truancy and other forms of juvenile delinquency always overlap. But the judge feels that on account of school census duties he does not get as effective service during the summer, when, because of the schools' closing children are particularly likely to get into mischief. Since 1916 the Asheville Juvenile Record lists 404 cases, almost exactly divided between the white and the colored children (201, white; 203, colored). This is an average of 100 cases for each man a year. If the officers were making investigations before the trial as well as supervising children on probation, they would easily be able to keep themselves busy the year round, on the juvenile court situation alone.

At Raleigh the former chief of police receives a nominal salary ($25 a month) for acting as probation officer. It proved impossible to secure from him a list of the children on probation at the time of our visit or to get a sight of the Juvenile Record which was supposed to be in his keeping.

These three cities are the only places in the state where a salaried probation officer was to be found at the time of our study, and only Winston-Salem and Asheville had men who gave their whole time to work with children. Winston-Salem paid $2,000 a year to a man who handled both white and colored cases, and Asheville $900 and $480 to white and colored officers, respectively.

However, Wilmington, which is not included in the list published in the directory, has had excellent probation service through the efficient boys' work secretary of the local Young Men's Christian Association. The secretary at the time of our visit was a young man of wide experience in dealing with boys, deeply interested in, and thoroughly familiar with probation work. He reported to the judge at the time of the hearing on the family and school history of the child. He required school reports from boys during their probation period, kept a running story of their progress and the final disposition of the case, supplied healthy recreational interests at the Association gymnasium and swimming pool, helped boys to find work and in general performed all the functions of a duly appointed probation officer. Under his direction, a colored man followed the same methods with the negro boys.

The other officers included in the directory served either as volunteers or *ex-officio*.

A second bad feature of the present law is found in the requirement that probation shall be for a specified period, "three, six or twelve months or longer as the court may think best." The wisdom of the indeterminate sentence has been recognized by the North Carolina legislature in the new penal law (Chap. 286, Laws 1917) and all the arguments which are used in its favor apply with even greater force to juvenile probation. A judge cannot tell at the moment when he imposes sentence whether a boy will respond promptly to probationary treatment or whether it will take a long struggle to overcome bad habits already established. In the Wilmington court it is customary for the officer to secure from the judge an extension of the probation period if a boy needs further super-

vision or a decrease in its length if it seems unnecessary to watch over the child any longer. But it ought not to be necessary to have to adopt this round-about method of procedure. The law itself should recognize the value of the indeterminate period of probation.

The probation officer is required by law to appear at the court from time to time during the probation period and at the end of that period to report on the progress of his charge. It is not specified that these reports shall be made in writing and we found no city except Asheville, Wilmington and Winston-Salem where probationers reported regularly to anyone.

In these three courts, the regularity and substance of the reports were recorded. Asheville entered them in its Juvenile Record, Wilmington on record cards on file at the Young Men's Christian Association office, Winston-Salem, on a case history sheet. Children reported weekly in each place with signed statements from their school teachers, and in Asheville, proof of attendance is also required from the child's Sunday school teacher.

Charlotte's Juvenile Record book conformed exactly to the requirements of the law. It called for information on these points: name, age, sex, race, residence, offense committed, progress or reformation of child within period of probation, final disposition of child. Begun on February 28, 1916, it had only four entries up to May, 1918, although the clerk of the recorder's court reports 65 juvenile cases brought before the Charlotte court between May 1, 1916 and June, 1917. Neither the police docket nor the docket for the superior court, nor the county jail records gave ages, so there was no way of telling how many children were appearing before the courts in this, the largest city of the state.

Goldsboro kept no separate juvenile record.

At Winston-Salem, the record covered: name, age, race, sex, name and residence of parent or guardian, offense, previous offenses committed, judgment, costs. This record had been carefully kept up by the clerk of the court until the appointment of the probation officer when the responsibility was transferred to the latter. The form is noteworthy in two respects: it gives space for entering the parents' address and it calls attention to the importance of recidivism. The Probation Courts Act does not require the parent to be notified of his child's arrest or even to be present at the trial and a surprising number of children are tried for minor offenses quite without the

knowledge of their parents. This is particularly true of the colored families. It emphasizes that mental attitude on the part of the courts which regards the child as a responsible individual, standing alone.

The law does, however, state that the court must, "so far as practicable," hold separate trials for children in a "private office removed from all criminal features and surroundings." Nowhere could we find this custom regularly followed for the colored children but private hearings were occasionally given the white children in every court visited. But this frequently meant that the child appeared at the opening of court in the morning, sat through the entire session and finally received sentence himself in the same room, the judge having "cleared" it for that purpose. Such a procedure can hardly be considered in keeping with the spirit of the law. Of the real juvenile court hearing in chambers, with the parents and the probation officer present and the child protected from all criminal associations, we found few traces in the cities visited.

Asheville was the only city to hold a regular juvenile session. Every Wednesday afternoon the children who are on probation appear at 4:30, each armed with a report card from his school teacher and his Sunday school teacher. The judge, finding it difficult to secure reports from the colored teachers, organized a Sunday school at the court for the colored children and they are required to attend it regularly as one of the conditions of their probation. On probation day the children assemble in the court-room, the clerk of the court calls the roll and each child, in response to his name, presents the judge with his two reports, receives his hearty commendation or his outspoken disapproval and goes home. Children whose reports, after warnings, do not show the hoped-for improvement receive a dose of castor-oil, administered by the probation officer after the session. School teachers who have pupils on probation are always notified and invited to be present at these Wednesday afternoon sessions. Indeed, a strong feature of the Asheville situation is the close relationship which exists between the court and the schools. This is partly due to the fact that the probation officers also act as truancy officers, but it is more largely the result of the efforts of the judge. Immediately on assuming office he organized the public school principals and the teachers into a Juvenile Protective Association and they have ever since served in that capacity as an important ally of the court. The boy's teacher is

expected to attend his trial and she is invited to hear his reports during his probation period.

Nowhere except at Wilmington and at Raleigh did we find any marked difference in the treatment accorded the boy and the girl on probation. The wife of the Salvation Army captain at Wilmington occasionally acted as volunteer probation officer for the few Wilmington girls who passed through the juvenile court and at Raleigh the women members of the Juvenile Protective Association sometimes served in that capacity. It almost never happens that a white girl under eighteen was brought before the court and few colored girls appeared. Added to the natural reluctance always felt in exposing a girl to a court experience except as a last resort, was a realization of the fact that at the time of our study North Carolina had nowhere to send a girl if she was found guilty except to the county jail or the state penitentiary.

The judge may put the child in charge of a probation officer or may commit him to a suitable institution, charitable organization or proper private home. In cases of such commitment the court retains the right and the power at any time to modify or reverse his order or to recall the child. He may also place a child in need of medical treatment in any available hospital or sanitarium, but no authority is given him to order payment for such care from county funds.

All the provisions of the Probation Courts Act thus far discussed may, as the law now reads, apply to dependent or delinquent children alike although, of course, a dependent child is not likely to be placed on probation. The only other provision of importance relates to the separation of adult from juvenile delinquents in jail. Since it applies only to the group of children found guilty of some specific offense, it will be discussed later.

We have then, in North Carolina, two laws directly affecting the whole system of state care for unfortunate children; first, the statute creating the state and county boards of public welfare, a measure excellent in itself but not yet in full operation; and second, the Probation Courts Act which is so far from being a juvenile court law that we recommend its repeal and the enactment of a new statute for the purpose of securing to dependent, neglected and delinquent children that full measure of protection which it is undoubtedly the desire of the state to afford them.

PART II

THE DEPENDENT CHILD

The Law

The only explicit definition of the term "dependent child" found in the statutes of North Carolina appears in the Probation Courts Act. It reads:

> "A child shall be known as a dependent child when for any reason he is destitute or homeless or abandoned and in such an evil environment that he is likely to develop into criminal practices unless he be removed therefrom and properly directed and trained." (Section 1 (b), Chapter 222, Laws 1915.)

The use of "and" instead of "or" after the word "abandoned" would probably be held to confine the operation of the law to those children for whom an evil environment is coupled with destitution or homelessness or abandonment. The neglected child, according to this interpretation, can not be touched if he is living with parents who are not destitute, or the dependent child unless he is likely to develop into a delinquent. This was evidently not the intention of the law, and certain judges, interpreting it liberally, are proceeding to remove children from unfit homes by virtue of this very clause, but to avoid any possible confusion of practice the conjunction should be changed.

Antedating the Probation Courts Act are the laws, still in force, which regulate the apprenticing of children and under the description of these whom the clerk of the superior court may bind out to service we find a better definition of the dependent and the neglected child than in the later law.

The clerk may apprentice the following children:

(a) Orphans whose estate is too small to educate and maintain them. (Dependent.)
(b) Infants whose fathers have left them six months without support. (Dependent.)
(c) Any child who is a charge to the county or who begs alms. (Dependent or neglected.)
(d) Any child who is fatherless and whose mother is of bad character and suffers her child to grow up in habits of idleness. (Neglected.)
(e) Children whose parents do not employ them in some honest, industrious occupation. (?)
(f) Children under 16 years of age who, on account of the neglect, crime, drunkenness, lewdness and vice of their parents or person with them the child resides are exposed to lead idle and dissolute lives. (Neglected.)

The Local Court

Jurisdiction over the first group of dependent children is conferred by the Probation Courts Act upon "recorder's courts in cities where they have been created and like courts in other cities where recorder's courts have not been established by law, and also superior courts." The method of procedure and the various means of disposition open to the judge have been described in the preceding section. (See p. 27.)

We found not a single instance entered in the Juvenile Record at Asheville, Winston-Salem and Wilmington of a dependent child being handled by the local court although from other sources we knew court action had been taken in several cases. In Charlotte where the Associated Charities and the Humane Association have brought many children's cases before the judge, the court records had not been kept up in such a way that the children's cases could be identified and the same was true of Goldsboro and Raleigh where apparently much less work of the sort was going on.

The Superior Court

In cases which come under the second definition, the clerk of the superior court who, as previously pointed out, corresponds in many ways to the probate judge in other states, has full authority to act. The first step in bringing the child before the clerk is for "three reputable citizens" to make written complaint setting forth the circumstances which, in their opinion, warrant removing the child from his home. The clerk must then serve notice on the parents of the child and must himself make a full inquiry into all the facts of the case. Apparently no formal hearing is required in apprenticeship proceedings, but a careful record must be kept of the transaction. These records were found in good condition in every court visited. They cover name, age, sex and color of child, name of parents and name of person to whom apprenticed.

A brief questionnaire asking for the number of children apprenticed by indenture during the calendar year 1917 brought the following returns:

Number of Counties Reporting	Number of Children Apprenticed Jan. 1, 1917 to Dec. 31, 1917		
	White	Colored	Total
85	36	24	60

Boys may be apprenticed until they become 21, girls until they are 18 but the term may be reduced if the clerk thinks it for the best interests of the child. The apprenticeship law forbids the indenturing of a colored child to a white man or vice versa, but it provides no means of supervision for the indentured children save for the annual report to the court by the master, and it is an offense for a child to run away or for anyone to help him to escape. All he gets when he comes of age, according to law, is "six dollars in cash, a new suit of clothes and a new Bible." The employer must, during the apprenticeship period, lodge, feed and clothe the child decently and see that he is taught "reading and writing and arithmetic to the double rule of three," and the apprentice may sue his master for any breach of the article of indenture. The clerk of the court may change or cancel the articles of indenture when the master is cruel or when he fails in any way to live up to his end of the agreement.

In spite of safeguards like these, the whole apprenticeship system represents an obsolete idea and it should be abolished in North Carolina as it has been abolished in other states where it once held sway. Industry has swept past the handicraft stage, to which alone apprenticeship adapted itself. Indenturing a child now means little more than bartering his potential worth as a servant for his support during childhood and it practically takes from him the choice of a vocation. It is out of accord with modern democracy and it must go.

A second method of disposition open to the clerk of the court is commitment to an orphanage, children's home or child-placing society. In such cases guardianship is transferred to the institution. It is interesting to note that no one may take a child under six months of age from its mother to be placed in a home or institution without the consent of the clerk of the court, and that not even the mother herself may so surrender her children without his approval. It is very doubtful, however, how closely this last proviso is being observed.

County Commissioners

Still a third public agency is frequently interested in the dependent child. The county commissioners have charge of the public poor fund which is expended for the upkeep of the county home or almshouse (indoor relief) and for the support of the poor in their own homes (outdoor relief). Both groups of recipients, although they are chiefly

composed of the aged and infirm, include a few children. Money for this purpose comes partly from the general funds of the county and partly from the state and county poll tax. Not more than 25 per cent of the latter may be taken for poor relief and the proportion actually used varies according to the needs of each county. We tried to get from the clerk of the board of county commissioners in each county an exact statement of the number of children in the families on their list for outdoor relief, but since no records of any sort were kept in any of the counties visited which showed anything more than name and address of the families aided, it proved impossible. Nothing but a personal visit to each person listed would have cleared up this point and so thorough an investigation was out of the question in the time at our disposal.

It was possible, however, to visit the almshouses and a brief description of each follows:

Buncombe County

The verandas of the Buncombe County House face the loveliest hills of the Blue Ridge and one's first thoughts, in approaching the red brick structure which looks so comfortable from the outside, are almost envious. But once inside the doors, the situation changes. On the morning of our visit, the stench from the wards was almost unendurable. Of the fifty inmates more than half were insane, and a large proportion of the others were mentally infirm and bedridden. There was no trained nurse and not even an able-bodied woman helper to put the rooms in order after the night. The cooking for the entire group of feeble-minded, blind, crippled and aged was in charge of a woman who had been discharged pronounced incurable by the State Insane Asylum and sent back to spend her remaining years in the county home.

Only two children were found in the almshouse proper. Both were white. One, a new born babe, lay with its feeble-minded mother in the ward where she had been confined without medical attention the day before. The other was an imbecile, probably about six or seven years old, who sat on the porch, wagging his head constantly to and fro in the vain effort to keep off the flies. But everywhere about the grounds and the buildings were little colored boys, ragged and dirty, and inquiry showed that one entire wing of the almshouse was used by the county as a reformatory for delinquent negro boys,

apparently on the theory that the commissioner thus obtained, at one stroke, employment for the boys and free labor for the county home. As a matter of fact, since the superintendent of the institution had neither the time nor the ability to supervise these children, they did much as they pleased and their services could hardly be considered of great value. Two of them acted as "assistants" to the insane cook and with her constituted the entire kitchen staff. Others were mowing the lawn, sweeping the walk and helping with the farm-work. They received no schooling whatever.

The dormitory was a long, dark room with iron-barred windows and a heavily padlocked door. In the room were two great iron cages, also padlocked, in which slept those boys who were considered untrustworthy. The blankets on the iron cots—there were no mattresses—were indescribably filthy and the odor from the one toilet was extremely offensive. This room, into which the majority of the boys were double-locked every night, and left without a guard, was lighted by kerosene oil lamps in low brackets on the walls.

Certainly such a place can accomplish no work of reformation. It does not even succeed as a place of detention, for out of 87 boys for whom commitment papers could be located, 18 had run away from the Home from one to eight times, and 11 out of the 18 had been sent to the county chain-gang when caught. One of these boys is known to have contracted tuberculosis "on the gang" and died.

Twelve boys were present on the day of our visit. Four of them were 13 years old; four, 14; three, 15, 16 and 17, respectively; and one did not know how old he was.

In justice to Buncombe County, it should be said that the Grand Jury, who are required by law to inspect all county institutions and to report on their condition at each session of the superior court, turned in a scathing indictment of the present management in May, 1918, demanding a change in administration and the installation of a trained nurse. We quote from their report, as published in the Asheville *Citizen* for May 11, 1918:

> "Eleven of the jury inspected the county home. The conditions were indescribably bad. There were 50 inmates, more than half of whom the superintendent tells us, are insane. The insane and the helpless and the well are all mixed together. The stench of these ward rooms is terrible, the inmates dirty beyond mention, clothing of the worst, but few sheets on beds. In one ward we found where one blind man slept in bed with his

wife in a room filled with other women. In another room we found where a blind colored man and his wife slept in a room with a white woman.

We believe the food to be bad. . . .

We found dirty little negro boys running everywhere over the building.

We were told that they worked in the kitchen but they were apparently too dirty to work anywhere. Idleness prevailed everywhere. There seems to be no attempt at discipline for either inmates or employes. . . .

The escape from fire in the institution is only by the grace of God. Oil lamps with insane people. Fire hose from which the nozzles are missing (the superintendent told us that they must have been stolen by the boys and sold), trash and litter in the boiler rooms and wood steps not three feet from the ash doors of the boiler. Empty fire extinguishers on the walls. The superintendent conducted us over the farm which is a beautiful farm and apparently well kept."

It should also be said that Buncombe County maintains a special Children's Home to which all its dependent or neglected children are regularly sent. This home and the Buncombe County Reformatory for white boys are described in the section on Children's Institutions.

Forsyth County

The records at the Forsyth County Home gave information on the following points: name, age, race, date admitted, former postoffice address, name and address of person to notify in case of sickness or death, general condition of mind and body. They were carefully filled out and up-to-date. Perhaps the fact that the county auditor requires monthly reports from all county institutions has something to do with this condition. No children were present on the day of our visit and according to the records, only one child has been received at the Home during the past two years.

This baby was born there, of a feeble-minded mother. He was the child of the girl's former employer who paid the county $40 for the confinement expenses. At the county home, the mother became infatuated with a man inmate who was so badly diseased that he had been unable to work for 15 years. This did not hinder him, however, from running away with the feeble-minded girl and marrying her after the commissioners had refused to let the ceremony take place in the almshouse. They took the baby with them. In the course of a few weeks, the couple applied for aid at the local Associated Charities and the baby was found to be nearly dead from starvation and neglect. The child was sent to the hospital and the man and woman

returned to the county home. The man's illness, which seems never to have been diagnosed as anything but a "sore leg," increased until the leg had to be amputated and he died of the operation. The baby, meanwhile, had been given away by the mother, to whom no one knows. Fortunately, there were no offspring from the later union.

While the Forsyth County Home suffers, as do all the others visited, from lack of able-bodied employees, it was fairly clean and the inmates seemed to be decently cared for. Since there were no children present and had been none for a long time, no detailed investigation was made of general conditions.

Mecklenburg County

Seven miles out from Charlotte is the Mecklenburg County Home, a red brick structure housing from 50 to 60 white inmates and about the same number of negroes in quarters somewhat removed from the main building. On the day of our visit, we found five children there. Two were normal white children—the little daughters 4 years and 2 months old, of a normal white woman, who had been deserted by her husband and had come to the Home for her last confinement. The mother has now recovered completely and is quite able to make a living for herself and her two children, but she is so valuable about the building that the superintendent does not want to let her go.

The other three children were colored. One, a bright, attractive little boy about 7 or 8 years old, has been in the Home for the last four years. He was picked up under a bridge in Charlotte where his father abandoned him after his mother's death. No effort has been made to locate the father and force him to contribute to his child's support, or to find the boy a home among his own people, although he is a child to rejoice the heart of some kindly colored woman. Instead he spends his time among the feeble-minded, the aged and the afflicted. Just across from his quarters was the barbed wire inclosure where are herded the colored insane. Confined with them, although he is quite normal mentally, was a badly deformed colored boy, 8 to 10 years old, and within the same inclosure was an epileptic girl, apparently under 16 years of age, lying on the ground in the full glare of the morning sun, with the flies swarming about her foam-flecked lips. As the spasm receded and her form became less rigid, one of

the insane women pulled her up, not very gently, and pushed her inside the shelter.

Between the quarters reserved for the negroes and those set aside for the whites was a small barbed wire inclosure. Here, in rooms entirely separate from each other, were kept two insane white men and one white woman who was so horribly diseased that her whole body was one great sore. The United States Public Health Service nurse in charge of the venereal disease clinic at Charlotte, who was with us, said that the woman could receive such medical treatment that her own suffering would be much less and the danger of infecting others would be greatly decreased. But nothing was being done for her and in her unscreened bedroom as we stepped inside, was a little kitten which had the freedom of the entire place and was a most fascinating pet for the children. None of the buildings were screened and flies abounded.

The present superintendent has had charge of the Mecklenburg County Home for 16 years. He has no records for that period except the ledger entry which gives name and date of admittance. He recalls only two instances during that time when children were given out for adoption and two instances where they were given away with no talk of adoption. He says he had never sent a child to an orphanage. One feeble-minded girl was sent to Kinston last fall.

New Hanover County

Three children, all colored, were in the New Hanover County Home when we saw it in June. The babies of 5 and 2 years were the little sons of a woman prisoner who had been sent from the county jail to the almshouse to work out her sentence. Having no one with whom the children could be left, she was allowed to bring them along, and they were tumbling in the grass, fat and happy.

The third was a girl of 13 under commitment from the recorder's court as an incorrigible child. According to her story it was neglect rather than delinquency which had brought her there and the judge evidently shared her point of view, for he might have sent her to the County Reformatory had he chosen. The grandmother with whom the child had lived since the death of her mother was compelled to go to the city hospital for an operation and the little girl was left alone. Afraid to stay in the house by herself and without relatives who could look after her, she began to roam the streets and was

presently reported to the police by the neighbors who were afraid she might get into trouble. The judge, having nowhere else to send her, put her in charge of the matron at the county home. When the grandmother returned from the hospital she refused to take the little girl back, evidently thinking a convenient way had been opened for disposing of an unwelcomed burden. The child did light house work for the superintendent's family at the almshouse. She was well fed and kindly treated and appeared to be happy, but she was getting no education at all and she was associating at night in the negro quarters with women of low grade intelligence and decency. It was the matron's plan to find her a place at service in a good family as soon as possible.

Occasionally, delinquent white boys have been sent to the county home for care when the judge, because of their youth, was unwilling to commit them to the County Stockade (the so-called County Reformatory, which is really a prison for men and women). This has seldom happened since the Stonewall Jackson Training School has been open. The county home is still used as a last resort, however, in a few special cases when the training school has no room for them.

The physical surroundings at the New Hanover County Home are good for the white inmates and very fair for the colored.

Wake County

The best kept and best managed county home seen in our visits was found in Wake County. The large building was immaculately clean and well screened. White inmates occupied private rooms; the colored were usually found two in a room. The ill were separated from the well and a trained nurse was in charge of the hospital ward. All rooms were well ventilated and sunny. The menus for the last year showed provision of a wholesome and varied diet, the vegetables, milk and butter and part of the meat coming from the Home farm.

The records were in excellent condition. They showed that only two children had been received at the Home during the two years the present superintendent has been in charge. These were sisters, two years and six months old, whose father died suddenly of pneumonia. Their mother lost her mind from grief and was sent to the State Hospital for the Insane. No one was left to care for the children and they were sent to the county home. Immediately, the super-

intendent made application for their admittance to the Oxford Orphanage but it took over a year to accomplish the transfer.

One colored boy about 6 years old was in the Home when the present superintendent arrived. No records had been kept prior to this time and nothing was known of his people or how long he had been there. He was sent to the Colored Orphanage at Oxford on April 12, 1918.

No children have been born at the Home during the past two years. Three pregnant women have been received. In two cases they were sent out of the state for confinement at the expense of the men responsible for their condition. In one instance, the superintendent communicated with well-to-do relatives, unknown to the girl, and they cared for her in their own home. The superintendent says the commissioners will not permit constant drifting in and out of the Home by irresponsible women.

Wake County is the only county visited which keeps any sort of permanent record of the physical examination which the county physician is required by law to make of each applicant for admittance to the county home. The blank form in use has room also for questions to be asked by the Justice of the Peace with whom the petition is filed.

Wayne County

No children, fortunately, were found at the Wayne County Home. Fortunately, because in addition to the inevitable association with old people diseased in body and mind, a child would here have been compelled to live amid surroundings bad from every other standpoint as well. The old frame buildings on the county farm stood facing the railroad track and so close to it that the roar of the passing trains rattled the windows, and smoke from their engines kept the rooms grimy. The yard was poorly kept and the whole place looked badly run down. In the negro quarters, the feeble-minded and insane were in charge of other inmates who were all so physically incapacitated that they could not properly act as nurse and chambermaid for their charges. The food was served in the bedrooms. Sanitary conditions were worse here than in any other county home visited and the place was overrun with flies and with cats.

The ledger record here had room for entering the name of the person admitted, with sex or race, date of admittance, date of death

and "what inmate brought with him" but the items were not fully filled out in many cases and it was impossible to get from the superintendent any definite idea of the number of children who had been at the Home while he had it in charge. He said there had been very few. One imbecile now 40 years old has been cared for at the county home since he was 1 year old. His parents died there, both of tuberculosis.

Cleveland County

Though Cleveland County was not included in our list of counties to be visited, it proved convenient in connection with other work, to make a brief inspection of its county home. It was encouraging to note certain things which were being accomplished here in spite of all disadvantages by an energetic superintendent.

The building itself was old, heated by fireplaces but having water and toilet facilities. A single person or a single family was lodged in a room and the superintendent had so fastened the windows that they could not be entirely closed at the top, thus ensuring some degree of ventilation. The bedrooms and the dining room were screened. The stables which used to be close to the house had been removed to a distance and the lawn had been sodded and was well kept. The drinking water was sent to the State Board of Health twice yearly for analysis.

The records here showed name, age, date of admittance and of discharge, and any facts as to physical or mental defect. When children had been placed in family homes by the commissioners or by the superintendent, the name of the new guardian was entered; if they had been sent to a children's institution, the date appeared and the name of the institution.

The present superintendent took charge of the county home on December 31, 1912. From that date to April 2, 1918, the records showed that 17 children, all white, had been inmates of the institution. Eight of them are now in family homes; four are in the State School for the Feeble-minded at Kinston: one is with her mother, an openly immoral woman who took her away from the good home which had been found for her. Four are still in the county home..

The folly of trying to find good homes in private families for children about whose mental condition nothing is known is shown in the story of

the Duff* family. The mother, Easter Duff, is feeble-minded. She says she was married to the father of her first two children, but admits that the third is illegitimate. It was born at the county home two years ago. The older children, twins, 12 years old, appeared to be normal enough and were given to farmers' families for adoption. The little girl was returned first, with a story which caused the superintendent to make immediate application for her admittance to Kinston as feeble-minded. The boy was returned from different homes three times before it occurred to anyone that he, too, might be mentally defective. He was examined and is now awaiting his transfer to Kinston. The baby which is still with its mother at the Home appears to be far from normal. At 2 years of age it does not walk at all, although its little legs seem to be perfectly formed, nor does it make any effort to talk. Yet there is no legal method of preventing this mother from leaving the county home at any time, becoming pregnant again and returning to burden society with a fourth child who may also be feeble-minded.†

Besides the undiagnosed baby and the boy awaiting room at Kinston, there were at the county home two little girls, sisters, 13 and 11 years of age, neither of whom had ever attended school a day in her life. They ran like little wild animals from an attempt to speak to them and finally, when brought back by their mother, stood with their arms raised defensively as if to ward off a blow. They are the offspring of Peter and Polly Swink. Peter is 75 years old, blind in one eye and very feeble, a permanent inmate of the county home for the last four years. Polly is much younger, a husky mountain woman, who drifts in and out with her two little girls as the fancy strikes her. She is always gone during cotton-picking time but the superintendent has learned to expect her back when the first snow flies. While she is not obviously feeble-minded she is entirely irresponsible and is in no sense a fit guardian for two girls fast maturing into womanhood.

The superintendent at this county home manifested real concern about the unprotected condition of children whom he himself or the county commissioners had placed in private homes in the community. Perhaps this was because a complaint had recently been made to him that a little girl so placed was being kept out of school to drudge in the kitchen of her foster-home, or perhaps his experiences in trying to place feeble-minded children had made him wary. Whatever the cause, he did realize some of the dangers which threatened the children for whom no public official was in the slightest degree responsible after they once left the county home.

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*All names used in this and the following sections are fictitious.

†The Caswell Training School at Kinston receives feeble-minded women only up to 31 years of age. Easter is past that age but not past the possibility of having children.

Summary

North Carolina has no law forbidding the detention of children in county almshouses. The State Board of Charities, however, has used its influence against the practice. The volunteer boards of county visitors, when they were in existence, helped to accomplish the transfer of children from almshouses to private institutions or to family homes. The new county boards of public welfare when they are once established will work towards the same end. Comparatively few children were found in the seven almshouses visited. The condition of the records in five of the seven made us question the advisability of attempting to secure by questionnaire any information which could be depended upon from the other counties of the state and no effort was made to do so.

An analysis of the reports made to the State Board of Charities by the volunteer county boards of visitors during the years 1913 to 1916 inclusive indicates that at the time of their visits of inspection they found the following numbers of children in county almshouses:

	WHITE	COLORED	RACE NOT STATED	FEEBLE-MINDED
1913.....	44	16	..	14
1914.....	47	18	..	18
1915.....	45	16	..	24
1916.....	22	11	9	11

Their reports at no time covered all of the 100 counties (in 1916 only 50 counties were covered), and did not, of course, necessarily indicate all the children in almshouses during the entire year but only those who happened to be there on the day of the visit.

If the conditions found in the seven county homes visited can be taken as typical of the situation in the state at large, as study of the detailed reports of the county boards of visitors leads us to believe, the children found in the almshouses fall into three general groups. First and most numerous come those who are mentally or physically defective—the idiots, the feeble-minded, the epileptic and the crippled. None of them can possibly receive proper care, seldom even humane care in institutions like the county homes. The mentally subnormal children now in almshouses should be given preference over other applicants for admission to the Caswell Training School at Kinston and to the Hospital for the Colored Insane at Goldsboro. North Carolina has as yet no place where crippled chil-

dren who are mentally normal can be sent for care and training. The North Carolina Orthopaedic Hospital, at Gastonia, is in process of construction, but will not be ready to receive inmates for some time. (See Report on Institutions, p. 111.) It is for whites only.

Second are the little babies with their mothers, many of the infants born at the county home. If the mother is not diseased and is capable of nursing her child, they should not be separated during the first year of the baby's life. Then the attitude of the authorities should vary with the circumstances of the case. It is no kindness to a child to leave it in the hands of a feeble-minded mother or an openly immoral mother. On the other hand, if a girl is capable of giving decent care to her child, she should be urged to keep it and should be helped to reestablish herself industrially. Girls of this type, however, are more frequently found in the maternity homes than in the almshouses.

The third group of children are the normal, placeable type. Their parents may be dead, or may have abandoned them, or may be morally unfit to care for them, or may be decent, simple folk whom misfortune has brought to this last refuge. In counties where it is customary to staff the almshouses with the women prisoners from the county jail, we may find an exceptional instance, as in New Hanover County, of a prisoner who brings her children with her. She need not necessarily be classed as a "morally unfit" mother. This particular young colored woman had stolen a silk shirt waist. Her babies were clean and well nourished and were too young to suffer from evil associations. A second exception is found in the occasional use of a county home as a place of detention for delinquent children.

The group whose parents are living but are morally unfit to care for them constitutes the greatest problem. Such children are dragged in and out of the county homes by their parents according to the season of year. They never stay anywhere long enough to be forced to attend school and consequently grow up illiterate. They get no training for any sort of labor except unskilled. Sometimes the parents treat them brutally, sometimes kindly, but never are they really disciplined. If they are fortunate enough to escape physical contamination they can not hope to come through unstained in mind. The only standards with which they become familiar are those of failure. If left to themselves they form the connecting link between one generation of dependency and another.

Yet under the present system, no one is made responsible for seeing that they are *not* left to themselves. As before indicated, the clause of the Probation Courts Act under which they might be taken from their parents is very weak. Some judges deliberately practice the "moving on" plan as a happy solution of the whole question.

> Thus one Alice Brown, known throughout a certain county as a "very bad woman" was in the habit of spending her winters at the county home with her constantly increasing family of young children. Her behavior grew so flagrant that the judge feared he would have to take the children from her. Rather than do this, he sent for Alice and gave her a week to leave the state. On her promise that she would go and would never return, the court dismissed the case and the burden was transferred to the adjoining commonwealth.

But even if the children are taken away from such parents, their future is still at stake. The private orphanages are full to overflowing. Neither court nor almshouse is equipped to do placing-out work according to accepted standards. North Carolina has no agency at present which is really capable of assuming the responsibility of safeguarding these children.

City Poor Funds

County care for dependent children, then, touches a comparatively small number, either in almshouses, or on the outdoor relief lists. We found no poor relief work carried on by the municipalities themselves, except, in one instance, a mayor's fund of a few hundred dollars, and occasionally small amounts disbursed by the police for emergency relief. All the cities visited make regular annual appropriations to the local charity organization societies and expect them to handle all requests for aid from residents of the city, but this subsidy system cannot be called a municipal system.

The Public Schools

The public schools expend practically no money on the families of poor children. North Carolina has no school scholarship law and no free textbook law. Aid given through the schools comes through the individual teachers, not by appropriation from the boards of education.

For two years Asheville had a Christmas shoe fund. Money

was contributed through the schools and through other sources. A committee of teachers and principals bought the shoes and supervised their distribution. No effort was made to investigate the resources of the families thus fitted out and within two years the number of applications had increased so rapidly that it became necessary to discontinue the gifts. Now, all requests for shoes are referred to the Associated Charities and the investigations and distribution are entirely in the hands of that organization.

Free books are sometimes provided for special cases by the boards of education or are solicited by the teachers from children who have finished using them, and individual teachers collect clothing for special pupils from the discarded garments of their friends. Many schools take a Thanksgiving offering to which the children bring some one article, as a potato, an apple, a loaf of bread, or, as in some cases reported, a lump of coal. The assembled donation of the entire school is then distributed through the Associated Charities or the Salvation Army or by the teachers and children themselves.

Wilmington was the only city which reported any attempt to provide free extra nourishment at school for physically subnormal children. The William Hooper school, which is located in the poorest section of Wilmington, gave milk to some 150 pupils during part of last winter, and to certain specially needy cases for a much longer period. The same school gave articles of clothing to about 200 children, distributed 140 pairs of shoes, purchased 15 pairs of glasses, gave free books and school supplies to 50 children and secured operations on tonsils and adenoids for 100. Children were frequently given "free lunch tickets" for use in the school lunch rooms carried on by the domestic science departments in Asheville and in Winston-Salem, but this was the exception and not the rule.

Private Agencies

Evidently such care as the dependent child receives in North Carolina comes to him largely through private agencies. Foremost among these stand the orphanages (see Report on Institutions) which in 1918 housed a population of approximately 2,500 children. The trend of thought in North Carolina is strongly toward institutional care of children. Article IX of the Constitution provides that since "beneficent provisions for the poor, the unfortunate and the orphan" are "one of the first duties of a civilized and Christian

state," the state shall as soon as possible devise measures "for the establishment of one or more orphan houses, where destitute orphans may be cared for, educated and taught some business or trade." Public opinion still reflects this viewpoint. The first thing which occurs to a woman, left destitute with little children on her hands, is to "get them into an orphanage." It is frequently the only course of action recommended by the private agencies if their own resources are not sufficient to grant a pension ample enough to keep the home intact.

The whole question of institutional care for dependent children in North Carolina is discussed elsewhere in the report. The point which needs emphasis here is that practically the only refuge available to the majority of dependent children in the state is the private institution. North Carolina has no Mother's Pension Law. The county poor funds benefit comparatively few children. Few are apprenticed by indenture. We found no instance of a city poor fund administered by the municipality, though all the cities visited made regular appropriations from the public funds to the private relief agencies. Only five charity organization societies in the state so far conform to the requirements of the American Association for Organizing Charity as to be included in its directory;* only nine other similar associations are known to the State Board of Charities.† Some churches and fraternal organizations carry on a limited social service work among their own membership, but this consists largely of securing admittance to orphanages and rarely do women with young children receive steady support in their own homes.

Private Relief Agencies

Charity Organization Societies

Each one of the six cities visited had a charity organization society or some similar agency for social service to families. In places where the work was in the hands of a well trained secretary we found it branching out into many related activities, as recreation, probation, health, protective work for dependent children and in

*These are the organizations in Asheville, Charlotte, Greensboro, Goldsboro and Winston-Salem.

†Hamlet, High Point, Lexington, New Bern, Raleigh, Reidsville, Rocky Mount, Wilkesboro, Wilmington.

general co-operating with other public and private organizations to the betterment of all. Thus the Charlotte Associated Charities for some months carried on an emergency home for children to take the place of the sorely needed detention home which the county refused to provide. The secretary of the Goldsboro United Charities who had previous experience in settlement work, has organized successful clubs for both boys and girls in the mill village where so much of Goldsboro's juvenile delinquency has birth. The Asheville secretary meets regularly with the county commissioners to review the applications they have received for county aid. The records of these three societies follow the accepted case history, card index system and the Russell Sage forms are in use at each.

City	Population*	Expenditure by Private Relief Agency	Receipts by Private Relief Agency				Number of Families Aided
			County	City	Priv. Subs.	Total	
Asheville	25,656	$7,882.38	$1,200	$1,500.00	$1,677.73	$4,377.73‡	420
Charlotte	40,759	9,269.91	900	1,241.70	7,287.84	9,429.54	1,426
Goldsboro	6,107†	2,840.49	.....	350.00	1,701.00	2,051.50	90
Raleigh	20,274	11,064.33	1,231	1,600.00	9,565.36	13,895.33	485
Wilmington	30,400	3,801.99	3,900	.....	1,195.65	.....	167
Win.-Salem	33,136	2,654.98	.....	.....	2,979.97	.....	2,861

*Population estimates as of July 1, 1917 from U. S. Bureau of the Census, with exception of Goldsboro, for which, since it was under 10,000 in 1910, no estimate is made.

†Census of 1910.

‡Discrepancy between total receipts and total expenditures explained by balance of $6,132.92 in bank at beginning of fiscal year. $4,513.50 of this was balance of Flood Relief Fund.

Raleigh has devised a record system of its own. The face card is poorly planned but it is possible to get a summary of the material relief given quickly and easily from the treatment sheet. At Wilmington the name and a few pertinent facts about the circumstances of the applicant are entered in order of application on the blank pages of a ledger. Moneys expended are listed in a separate ledger and to find out for instance, how much Mrs. Duffy's family has cost the Associated Charities, it is necessary to check back through all the expenditures made by the society since Mrs. Duffy first appeared. The ledger record of expenditures is the only record of any sort kept by the Winston-Salem organization. Under these conditions

it is impossible to get information on the number of children in the families who applied for help during any given year, or to find out very definitely what has been done for them. The expenditures of the various societies do, however, give some indication of the amount of poverty which is receiving public assistance in these representative cities. They in no sense indicate all the poverty which needs assistance.

Methods of handling the race problem vary. In Asheville and in Winston-Salem, both white and colored applicants are visited by the same person; in Charlotte, the work among the negroes is done by a colored visitor under the direction of the Associated Charities; in Raleigh, the colored nurse employed by the Associated Charities gives material aid as well as nursing service to her clients; Goldsboro has organized a colored auxiliary to its United Charities which has its own colored nurse and works independently, but under the guidance of the white secretary; and Wilmington has an entirely separate United Charities for the negroes to which the county appropriates $125 a month.

All charitable work relates itself closely to child welfare work and in the records of the charitable agencies we find our most valuable sidelights on the conditions which actually confront the dependent child in North Carolina. We read, for instance, in the report of the Associated Charities of Charlotte for May, 1918, that the society in that month dealt with 334 needy people, of whom 134 were under 14 years of age; 76 of them were ill, 10 over 60 years of age, 17 widows with small children, 4 of them feeble-minded, 11 deserted women with small children, 2 epileptic, 10 crippled or otherwise handicapped, 6 women with illegitimate children, 22 cases of tuberculosis and 14 of venereal disease. It is not a pleasant list to reflect upon but it represents not vague theorizing about the causes of poverty in Charlotte, but the concrete facts which the community has to face. This presentation of social disabilities with a view to preventing their recurrence is the peculiar function of the charity organization movement. No other private relief agency in the state is even attempting it.

Churches

In fact, from the standpoint of their relationship to our special subject, the other private relief agencies may be quickly disposed

of. A very thorough investigation of church activities in Winston-Salem disclosed the fact that practically every congregation was taking an offering at some time during the year for the benefit of the Associated Charities, but in only two instances was a fund of any size used by the church for the temporary support of indigent families with young children. All the churches contribute to orphanages carried on under the auspices of their own denomination and individual members give generously to the support of local philanthropies, but no churches carry on much relief work of their own. A partial investigation of the situation elsewhere confirmed this conclusion. It is, of course, better to entrust the expenditure of funds to some one efficient and well-manned organization than for each congregation to act independently in such matters, but the churches need to be quite sure that the agencies which they help to support meet the special requirements and are really covering the local situation.

The Salvation Army

According to the figures for the calendar year 1917 given us by the division commander of the Salvation Army, 5,479 persons in 4,960 families received material assistance to the value of $4,985 in the 11 North Carolina cities where Salvation Army posts have been established. These figures do not include persons given Christmas dinners or children given toys or taken on summer outings. Transportation was secured for 114 persons and medical aid for 304. 2,065 lodgings were given, 1,102 persons received clothing or shoes and 3,487 meals were served. Coal, wood and ice were distributed.

In Durham, the Army receives a subsidy from the city and administers it for the benefit of the poor just as the charity organization societies do elsewhere, but for the most part funds are raised by personal solicitation. The post commanders investigate applications for aid and keep records of persons assisted, but these records are regarded as confidential and we were unable to see them. The effectiveness of the work varies, of course, with the effectiveness of the local organization but in general the emphasis is likely to be laid upon the material assistance given and the religious instruction imparted rather than upon the constructive task of family rehabilitation.

Fraternal Orders

Our information on the fraternal orders is based on interviews at state headquarters, where we received excellent co-operation in every instance. No one of them has a system of pensioning the wives of deceased members aside from the payment of the regular death and sickness benefits. Each devotes either a percentage of membership dues or a special annual assessment to the upkeep of an orphanage for the children of members who died "in good standing." There are occasional instances of emergency appropriations from the funds which all have available for charitable purposes—although all resent the use of the word "charity" in this connection. But on the whole it cannot be said that this scattered and spasmodic assistance really touches the big problem of dependency among children in the state at large. It is true also that the membership of the fraternal organizations is drawn from a group who have ordinarily resources of their own to fall back on in time of trouble.

Labor Unions

The organization of labor has not progressed far enough in North Carolina, which is predominantly an agricultural state in spite of its cotton mills, to make the trade unions a real factor in any city visited. The State Federation of Labor has a membership of only 4,000 with no paid organizer or officials. There are 150 locals in the state of which 69 belong to the Federation.

Woman's Clubs

No woman's club in any city visited made a custom of expending money in gifts to needy families. The Social Service departments in these clubs exercised a direct influence upon general child welfare conditions however, and individual members were usually listed among the heartiest supporters of charitable and nursing service. Inquiries brought invariably the creditable response, "We work entirely through the Associated Charities." The kind of community service which clubs are rendering is illustrated by the work of the Raleigh Woman's Club in securing the assistance of the State University to make a survey of the mental condition of the children in the public schools of the city. Thirty-six subnormal children were found. The Woman's Club fitted up a special room

for them at the Centennial School and sent the teacher to Vineland for the summer training course.

The Civilian Relief Department of the American Red Cross

A new factor in the private relief situation whose influence is bound to be felt more and more as the American armies take the field is found in the Civilian Relief department, otherwise known as the Home Service division, of the American Red Cross. North Carolina, at the time of our visit, was just reaching that point where it was becoming evident that the local social service agencies to which, in the beginning, all Red Cross home service duties had been almost everywhere assigned, would hardly be able to carry both the old and the new burdens without additional help. Charlotte had already a well organized home service bureau, in charge of an experienced charity organization worker. Goldsboro had sent a young woman to the Red Cross Institute at Atlanta for training. Other communities were beginning to realize the situation but the number of cases handled had not, except at Charlotte, been large.

As the state is more fully organized, certain definite results may be expected from the Red Cross work which will be of benefit to the whole child welfare field, for the Red Cross furnishes a degree of skilled guidance and oversight to their representatives which has never before been available, outside the larger cities. This means that better standards of social service will be established. The installation of an adequate record system and insistence upon the importance of health, education and recreation in any program of family rehabilitation are points which have never received sufficient emphasis in the smaller communities, and as they are developed certain weaknesses in the state or local scheme of child care will be discovered or will receive new emphasis.

The Uncared-for Dependent

In spite of the varied group of agencies just described, certain types of dependency for which no adequate care is available in the State of North Carolina present themselves with appalling frequency among the records of the charity organization societies and without doubt if more thorough studies were being made of the family situations, certain figures, notably the feeble-minded and the venereally diseased or tuberculous, would appear still more frequently. We

found no place in the state, except at the clinics of the Public Health Service in Charlotte, where it was customary to secure a physician's diagnosis for all members of a family where one was known to have contracted an infection. It is, in addition, in many parts of the state difficult to get reliable diagnoses of either mental or physical ailments. We are, accordingly, making no effort at a statistical presentation of the situation, but are simply reproducing the stories of a few families which illustrate the sort of thing that is actually happening today to the dependent child in North Carolina.

The Sick Child

The venereally diseased

On December 13, 1917, the city physician of a North Carolina county seat reported to the local charity organization society that Ruth Dunton* aged 16, was seriously ill with an infection suspected to be of venereal origin. She had been in bed for weeks in a tumble down frame shanty, and with the approach of winter was suffering from cold and lack of proper food. Since the desertion of her father, 10 years before, Ruth's mother had been leading an openly immoral life, and had borne four illegitimate children. Ruth herself was said by the neighbors to have contracted the infection from men with whom she associated at "county fair time." To quote from the record: "Dr. A.— says girl undoubtedly has syphilis. No course of action open. Wood sent (!)"

On the 27th of December, the case was reported by another physician, Dr. B.—, who wanted to examine the girl but could not do it in her home. The charity organization society arranged with a local hospital to admit Ruth for the examination, but the hospital stipulated in advance that *she could not remain if the trouble were chronic or incurable.*

Dr. B.— on the 2nd of January, diagnosed the case as "tuberculosis of the knee" but the head nurse at the hospital informed the charity organization society that the girl had a terrible discharge, was undoubtedly syphilitic and could not stay at the hospital. The next day she was taken home. The record says: "House cold and room and bed filthy. Sheets so cold they were wet and slimy. A horrible place to leave even an animal."

*All names used in this section are fictitious.

On the 9th of January, it was reported that the tuberculosis committee was making arrangements to get the girl admitted to the State Sanatorium. The charity organization society notified the city manager that this course was impossible and demanded that the city take some action at once.

The conclusion of the story is quoted verbatim from the record:

"Jan. 14, 1918. Dr. C.— has agreed to give Ruth 606, city to pay for serum. No place in state to send her after cure.

Jan. 17, 1918. Talked with priest about possibility of Catholic institution receiving after cure. Thinks if she can pass Wasserman, it might be done.

Feb. 9, 1918. Girl died."

In February 1918 there was no state institution in North Carolina where a girl like this could be received. There were no public clinics outside of Charlotte where treatment could be given for venereal disease.

There was then no state institution in North Carolina for the custodial training of delinquent girls.*

The Tuberculous

Jennie, who is now 13, has already worked in the knitting mill for one year. She would have been there yet, had not the Federal Child Labor Law sent her back to school where she has enjoyed a year's reprieve. She is a pretty child but anaemic and under developed.

Jennie's father, Will Smith, has just died at 31, of pulmonary tuberculosis. He is the fifth member of his immediate family to meet death from this cause since 1913. Mrs. Smith has nursed all five during the lingering illness which preceded their death and during a part of the time the families have occupied the same dwelling. So far as she knows, none of the three houses in which members of the family have died, have ever been disinfected until the last, when the city health officer "sent a little boy to do it."

Will was a hard patient to care for; he had been a heavy drinker and resented any effort at control. He refused to go to the hospital

*The state has now (September, 1918) provided such an institution under excellent management. See Report on Institutions.

and insisted upon some member of the family occupying the same bed with him, "so if he wanted anything in the night we could get it." Mrs. Smith would spread newspapers on the bedroom floor for her husband to spit on during the night and in the morning would gather them up and burn them. The case, however, was not reported to the city health department until a few days before Will's death, and the positive diagnosis of tuberculosis was not made until the analysis of the sputum came back from the city laboratory, the day after he died. Neither he nor any member of his family ever had any nursing care. It is only fair to say that they never asked for it or wanted it, but these are the very persons whom a good public health nurse takes most delight in seeking out and converting.

Mrs. Smith is a simple-looking woman who chatters on in an empty, childish way, which, coupled with our knowledge of an imbecile brother, makes one suspect feeble-mindedness. She was married at 14—and Will was 17—by the pastor of a leading church in the city. She explains it thus: "The one who stood up with me, she was a woman grown and I had short skirts on. The minister thought she was the one that was going to be married until I stood up. Then he said he didn't know whether he ought to marry me or not, but my husband paid him and then he did." Now, at 30, Mrs. Smith has borne four children, has lost her husband from tuberculosis and has herself a "cough and pains in the chest."

Jennie relieved her mother a good deal in the care of her father, slept with him occasionally and now occupies the same bed room with her mother, although there is plenty of room for her elsewhere in the house. On the day of our visit she and her two younger sisters were coughing and spitting constantly. No nurse was calling on them although one was on duty with the health department and none of them had ever been reported as in need of physical examination.

The family received a great deal of material assistance from the charity organization society during the man's last illness, but are now subsisting on a little insurance money and the earnings of a son of 17, "until Jennie can go back to work."

North Carolina has a small state sanatorium for the treatment of tuberculosis. The county where Jennie lived had also a tuberculosis sanatorium. But neither county nor state has an adequate force of public health nurses to reach the homes of the tuberculous. And it is in the home that the last fight must be waged.

The Drug Addict

The Black family have been known to the people of Y—— since 1913. The husband was an expert mechanic easily capable of supporting his wife and two little children, were it not for the high cost of morphine. Mrs. Black spent most of her time begging on the street; she carried the 8-month-old baby in her arms and took John, the 9-year-old boy, along. John, incidentally, has never been in school a day.

Last year a physician reported that the man had measles and the family were destitute. The visitor from the charity organization society found the house filthy and no food on the shelves. She asked Mr. Black if his wife had bought her supply of morphine. The man hesitated but John piped up, "Yes, she has, daddy. She has already given me mine." After further questioning the father admitted that his wife had always given the children drugs. He said that neighbors who knew this had repeatedly urged the woman to send them to a hospital for treatment but she would never consent.

The best baby specialist in the city was at once summoned. He pronounced the infant's condition serious but offered to give it free care at the hospital. At 8 months old, the child weighed six pounds. His mother again refused to let him go but the charity organization society took the matter to court and removed both children by authority of the judge. The parents employed an attorney to fight the decision, but in three days the baby was dead. John is slowly improving under treatment at a private orphanage. He will never go back to the parents who have so cruelly mistreated him. But neither will he ever fully overcome the retardation in physical and mental development which has been forced upon him.

The laws of North Carolina make it possible to remove from his home any child who "begs alms" but make no one responsible for seeing that the law is enforced. The compulsory education law makes it a misdemeanor to keep a child out of school during four months of the year, but in only one city could we find any real effort being made to enforce even these low standards.

Infant Mortality

The Delineator in its recently conducted health survey of a certain North Carolina city found the following cases, which have

been chosen from a long list as typical of conditions frequently met.

Twin babies died at age of 10 months from cholera infantum. Many cases of enteritis occurred in their neighborhood at the time. Wide open privies were chief means of sewage disposal. Father of twins died of typhoid fever during same summer. It is not improbable that all three deaths were due to fly carriage of intestinal diseases.

Baby J. —— aged 3 weeks, found dead in bed. Physicians stated that child was much neglected, its mother leaving it with anyone who would care for it while she was at work in the factory.

Baby C. —— almost 1 year old, died of whooping cough, followed by bronchitis. Older children had disease and baby was freely exposed to it, as neighbors told mother it was necessary for all children to have whooping cough and it would go easy with a nursing baby." The child had been strong and well, breast fed from the first.

No city health department in North Carolina has a sufficient force of public nurses to do intensive work for the reduction of infant mortality. We found no pre-natal clinics and only Wilmington and Charlotte so far as we could learn, have regularly established milk stations and infant welfare clinics.

Chronic Illness and the Patent Medicine Evil

A white family, father and mother and three children, occupied half of a four-room cottage on the outskirts of the negro section in Y. They paid $8 a month rent for the whole house but sublet two rooms, thus halving both rent and living quarters. The filth and disorder in which the three little girls were playing on the afternoon of our visit were indescribable.

Mr. Wells is 45. He worked as a salesman in a furniture store in Y. for eight years, then went to Norfolk and secured employment as a painter. He contracted rheumatism from his exposure at this trade and had to give it up. Returning to Y. in the hope of getting back his former position, he grew steadily worse and has been unable to do any work at all for over a year, most of which time his family have been assisted by the charity organization society.

He has had various physicians, none of whom, so far as one can gather from his accounts, have ever given him a thorough examination but he now pins his faith to Dr. B——'s Restorative

which "has helped him more than any doctor he ever had." A bottle which lasts him two weeks costs $1 and they always manage to get it even if the children go without sufficient food. However, he has just been told "by a friend" about a certain specialist who "guarantees to cure you, no matter what ails you, for $50. You pay the money and then, if you aren't cured, you get it back"—and he is much incensed because no one will lend him $50 on the spot, and thus place him on the high road to recovery.

Mrs. Wells now earns in a local factory from $12 to $13 a week. Her hours are from 7 to 6:30, but the factory is close to the house, so she can get home at noon to prepare a little food for the family. Still, the bulk of the housekeeping falls upon Sarah, the pretty 9-year-old daughter, who has not been able to go to school this year because of her household duties. Her father cannot raise himself from his chair without help, and some one must be there to hand him his crutches, to help him dress and to look after the two younger children.

Mr. Wells has five married sisters living in Y. and one unmarried brother employed as an expert mechanic in the shipyards at Norfolk. No effort has been made by anyone to enlist the help of these relatives in caring for the Wells family. The children are growing up unkempt and untaught. The father's condition is getting worse. He has never had a careful diagnosis and is now spending for patent medicine money which should go for decent medical attention.

The patent medicine evil in North Carolina has a direct bearing upon the health side of the dependency problem. No figures are available to show the amount of money expended by the ignorant in that state alone for preparations which can then do no good and usually keep them from a physician; but it is significant that we visited no family in which there was sickness where patent medicine of some sort was not regularly given to the patient. The newspapers and the billboards are filled with advertisements of magic nostrums and drug-store windows are crowded with gaudy bottles of "guaranteed cures." The State Board of Health recommends two courses of action: first, to impose a heavy tax upon the sales of patent medicines, the proceeds to go to a Bureau of Publicity and Information under the State Board, which would devote its efforts to educating the general public away from its blind faith in the advertisements; and second, to compel the manufacturers to print upon the wrapping

of each bottle an exact statement of the ingredients used. Bills to this effect were defeated in the last session of the legislature.

The Feeble-minded Child

Some 20 years ago, "just for fun," a crowd of men and boys escorted a feeble-minded man and a feeble-minded girl to the justice of the peace and had them married. As a result of the jest, there are now four apparently feeble-minded children and the whole family has been largely supported by the public for years. The Associated Charity record goes back to 1910. It lists cash aid to the value of $142 from the society between 1910 and 1914, besides constant references to the food, fuel, clothing and money which was being poured in from other sources, notably the members of one church.

During the whole four years, one effort after another was made to find work for the man and keep him at it. One neighbor said he had often taken the man to his own house, given him breakfast, had lunch packed for him and started him off to work, only to have him loaf around town all day, doing nothing. Finally he was arrested for neglecting his children, was placed on probation and ordered to report to the chief of police once a week. The family were forcibly moved to better quarters and given a new start but seven months later the man was again threatened with arrest because he would not work.

The mother refused to let the children go to an institution. The little boys sold papers, begged, went hungry and dirty most of the time. A physician offered to test the mentality of the children but was delayed in doing so and there is no record that the tests were ever made. When the case was closed the family situation was practically what it had been to start with—but the man was working irregularly and with what he and the children earned they managed not to starve. The chances are that in a few more years, the subnormal children will marry and the circle of dependency and defect will go on widening indefinitely.

North Carolina has one state school for the feeble-minded at Kinston. Its present capacity is 160. Applicants for admittance sometimes have to wait a year or more before room can be made for them.

The state law forbids the marriage of the feeble-minded but

imposes no penalty upon the clergyman or public official who knowingly performs such a ceremony.

The Crippled Child

Frank B. — was left an orphan at 5 years of age. His mother died of cancer, his father of "hasty consumption." The five children were scattered about among relatives and friends, Frank going to a neighbor who had seven children of her own, but could not see the little boy sent to an orphanage. His foster-mother did the best she could by the lad, but when he began school he made friends with a "bad gang" and finally, while "hopping trains" one day, he was so badly injured that his arm had to be amputated. From that time on he was incorrigible. The teachers spoiled him, men in the streets gave him money and he soon came to think that the world owed him an easy living.

At 14, Frank was arrested for "begging and vagrancy" and the judge sent him to the county reformatory. For the first few weeks he would not obey and gave much trouble. According to the superintendent, it took a "sound thrashing" to bring him to his senses, but he has now settled down to the first orderly life he has ever known, is doing good work in school and seems happy. Best of all, he is being taught telegraphy and when he leaves the reformatory it will be to take a man's position at a man's wages.

Frank was fortunate enough to live in a county which tries to care for its children. But there is no state institution where the crippled or the handicapped child can be trained for a useful and happy self-support,* and there is no other county in the state which conducts such an institution as this reformatory.

The Illegitimate Child

Grace is a colored girl 20 years old. She has been employed in domestic service and has always borne a good reputation. Last year however, she gave birth to twin babies and the colored man who was their father refused to marry her and left town. Her stepmother put the girl on the street one week after the babies came. She found a little two-room shack for rent at 75 cents a week and secured one washing to do at home. When her name was reported

*See Report on Institutions for account of plans for Orthopedic Hospital.

to the charity organization society, winter was coming on, Grace had no food or fire and she was compelled to leave the two babies, now 5 months old, alone in the shack while she looked for work. The visitor records the fact, which is not hard to understand, that both babies are "sickly-looking."

Food and fuel were provided at once, and Grace was directed to the milk station and baby clinic. But help had come too late. One baby died within two months from neglect and starvation, and when Grace secured more work, thus attaining self-support and the record was closed, the remaining twin was very frail.

Massachusetts has made all provisions of the non-support law dealing with other children apply to the illegitimate when the paternity has been established. Michigan makes the mothers of illegitimate children eligible for mothers' pensions if their moral character is good.

The Child of the Convict

For 5 months food and fuel were provided on the average of once a week to the family of Jasper Bright while Jasper worked out his sentence on the county chain gang. Sarah, his wife, was pregnant and there were three small children. After Sarah's confinement, she secured a little work to do at home but aid had to be continued until the man's discharge.

The state law provides for the payment of an allowance from the net earnings of the state penitentiary to the dependent members of the prisoner's families. The labor of the men on the county chain gangs is worth from $2 to $3 a day. The law provides no means for turning over a portion of the surplus to the prisoner's family.

The Institutional Child

The attitude of one orphanage toward the problem of dependency is well revealed by the two letters which follow:

COPY

Dec. 28, 1917.

My dear Dr. ———

We are writing you with regard to the Jones children whose names are as follows, Will, Alice and Margaret. Will was sent to your institution

by this Society on May 31st, 1915 and we made application for the girls who were sent later from Y. as the family had left B.

At the time we sent Will, the mother was in ill health, suffering from pellagra, and according to her grown son's statement, she was immoral. The step-father, William H. Jones, had deserted the family and they were destitute. We concluded that there was no future for the children at home and decided to break the family up. At this time, the family have moved back to B. and the children are all at home. The step-father is absolutely worthless for he drinks and takes morphine. Yesterday we sent him to the hospital to be treated for a very bad grippe infection which may develop into pneumonia, according to the attending physician. His condition is critical. The family is destitute, the mother not well.

Please write us how and why the children were sent away from the orphanage. This is a very important connecting link in building the lives of this family. We shall appreciate a full report on these children.

Very truly yours,

——— Sec. Charity Organization Society of B.——

Dec. 31, 1917.

My dear Mr.——

Your letter with reference to the Jones children received. These children were received with the understanding all the time that Mrs. Jones was a widow and we never knew certainly that she was married again until after the children were gone. She was supposed to have pellagra, I believe, when they came. She worked a right clever trick. She wrote letter after letter stating she wanted her children to come back to her, that she was able to take care of them. I asked her for references and had a letter from this man Jones who was her husband, stating that she was living with him and the letter was written in such a way as to indicate that she was living on his place, that she was able to take care of her children and was a good Christian woman. I let them go. The truth of the matter is, I was right glad to have a good excuse to let them go. They were of very little promise and I thought if she could take care of them, it left good room for some other children. I guess it is a sorry lot from start to finish. I hope you can do something with them.

Sincerely yours,

——— Supt. ——— Orphanage.

No orphanage in North Carolina employs a trained agent or indeed, an agent of any sort, to investigate either applications for admittance or requests for discharge.

PART III

THE DELINQUENT CHILD

The Law

A juvenile delinquent in North Carolina, according to the Probation Courts Act, is any one 18 years of age or under who "violates any municipal or state law, or when, not being a law violator, he is wayward, unruly and misdirected, or when he is disobedient to parents and beyond their control or whose conduct and environment seem to point to a criminal career."

Asheville has, in addition to her juvenile delinquents, a group known as "juvenile disorderly persons." The law by which they are defined was evidently enacted for the purpose of making Asheville's nine-month compulsory education law effective, an end which it seems to have attained. A "juvenile disorderly person" is one between 8 and 16 who either habitually plays truant from school or who "while in attendance at school is incorrigible, vicious, or immoral in conduct, or who habitually wanders or loiters about the streets or other public places within said city without lawful employment."

While the foregoing definition of the juvenile delinquent undoubtedly is broad enough to include truants (who are certainly violating a state law if they are not in school during four months of the year) a definite statement of the fact that a truant is a delinquent child might help in the enforcement of the compulsory education law. Asheville brings many truants before the Juvenile Court. We found only one instance elsewhere during our investigation of a probation officer venturing to take court action against a child who was habitually out of school, and in that instance the community rallied to the support of the boy. Keeping children out of school is not popularly considered a serious matter in North Carolina. Perhaps if the Probation Courts Act definitely included the truants among the juvenile delinquents, public sentiment might be affected.

Winston-Salem provides in its city charter for the appointment of a probation or truant officer by the municipal court to take charge of any "delinquent or wayward" children brought before the court. A "delinquent" child is defined as "any boy or girl between the ages of 6 and 18 years who violates any ordinance or commits any offense over which this court has jurisdiction." A "wayward" child is "any

boy or girl between the ages of 6 and 18 years of age who habitually associates with vicious or immoral persons or who is growing up under circumstances which expose him or her to lead an immoral life."

Whether a child is considered a juvenile delinquent, a juvenile disorderly person, or a wayward child, the same course of procedure is followed. Only the recorder's court, or some court of like jurisdiction, and the superior courts may hear his case. The Asheville law provides that, "upon recommendation of the school committee" three days notice must be given to the parents of the child before court action can be commenced. The procedure of the recorder's court and the methods of disposition open to the judge have already been discussed. (See p. 27)

While any one of three public agencies, the court, the clerk of the superior court acting as guardian, and the county commissioners, may be concerned with the dependent child, only one of the three, the court, has anything to do with the juvenile delinquent. To recapitulate—the judge has four methods of disposition when a child is found guilty of the offense charged against him; probation, commitment to some suitable county or state training school, commitment to a suitable family home, commitment to jail or to the state penitentiary. The probation situation in North Carolina has already been discussed; the question of institutional care is handled in another section of the report; we found only one instance of commitment by the court to a family home, although it is altogether likely that some instances of this sort are going unrecorded; but the situation with regard to jails, county chain-gangs and the state penitentiary is so serious that it demands careful consideration.

The intention of the Probation Courts Act was doubtless to prevent altogether the incarceration of young children but its wording is so loose that it has entirely failed to accomplish its purpose. It reads:

> "No court or justice of the peace or sheriff or arresting officer shall commit to prison or incarcerate any child 14 years of age and under, in any jail or prison enclosure where the child will be the companion of older or more hardened criminals, except where the charge is for a capital or other felony, or where the child is a known incorrigible or habitual offender. The court, the sheriff, police officer or probation officer or other person who shall be responsible for the appearance of the child until his case is disposed of before the court, may place such child in some suitable place or detention home, or in the temporary custody of any responsible person who will give bail or become responsible for his appearance at court."

This phrasing does not forbid the commitment of a child to jail; it only forbids his being imprisoned in any place where he will be the "companion" of criminals. It would be a simple matter for a sheriff to claim that imprisonment in a separate cell, for instance, did not mean "companionship." The more careful wording of similar sections in effective juvenile court laws indicates the frequency with which evasion is attempted.

In the second place, two groups of children are exempted from the operation of the law: first, those who are charged with the commission of a capital crime or other felony; second, those who are known incorrigibles or habitual offenders. The judge is given no discretion with the first group. With the second, it rests with him to decide whether or not the child falls within this classification. Most juvenile court laws provide for the transfer of cases which involve capital offenses or serious felonies from the juvenile court to the ordinary criminal court, if the judge so decides, but the responsibility for the transfer is placed squarely upon his shoulders.

Again, the Probation Courts Act provides no place other than the jail for the detention of children pending trial. The court or the arresting officer "may" place the child in "some suitable place or detention home" but it is not obligatory upon him to do so, nor does the law authorize counties to provide detention homes or to pay board for children in private homes.

No one is made responsible for seeing that this section of the Probation Courts Act is obeyed. The natural consequence is that the spirit of the Act is being consistently and constantly disregarded.

State Penal System

In order to understand what happens to delinquent children in North Carolina, it is necessary to outline the whole system of handling persons convicted by the courts of offenses against the law. The state has no reformatory either for women or men. In the penitentiary at Raleigh are kept the woman convicts and the aged and sick among the men. All able-bodied men are sent to the State Farm, or are employed in one of the state road-gangs upon the construction or repair of state highways. In the past, a system of convict leases was in force which permitted any person, firm or corporation to contract with the state for the services of prisoners at specified tasks. The lease system was abolished by the legislature of 1917 except as to existing contracts. Penitentiary, state farm and con-

vict road camps are subject to the supervision of the State Board of Health, so far as sanitation and general protection of health are concerned.

Prisoners are now divided into three classes, on the basis of trustworthiness, and the picture of the conditions under which they are supposed to work, as given in the law itself, affords perhaps the best index to the general situation.

> "The men of the first class shall be known as honor men, and when grouped together in camps as hereinafter provided for, the camp shall be known as an "honor camp" and they shall wear a distinctive but not very conspicuous uniform, and shall be worked without guards, and when in prison or camps, or in any other place of detention, they shall not be chained or under armed guards at night. The men of the second class shall wear a conspicuous uniform, and shall be worked under armed guards, but shall not wear chains while at work, but may or may not be chained at night, in the discretion of the superintendent. The men of the third class shall be dressed in stripes, shall be worked under armed guards, wear chains during the day, whenever this is considered necessary and be chained at night when in camp, and shall be worked as far as possible in stockades, inclosing rock quarries, but may be worked on public roads in camps containing only this class of men, at the discretion of the superintendent or that may (*sic*) hereafter be made by the General Assembly."
>
> "It shall be unlawful for the board of directors of the State Prison to whip or flog, or have whipped and flogged any prisoner committed to their charge until twenty-four hours after the report of the offense or disobedience, and only then in the presence of the prison physician or prison chaplain; and no prisoner other than those of the third class, as defined in this act shall be whipped or flogged at any time."

Bad as conditions sometimes are in the road camps, prisoners are better off there than in the county jails. They are frequently dressed in stripes and occasionally chained, but they have at least fresh air and an occupation. In jail they have nothing to do and they rarely get a whiff of uncontaminated air.

We have accepted the grading given by the official inspector of the State Board of Health to the county jails in Buncombe, Forsyth, Mecklenburg and New Hanover counties. No reports were available for Wayne and Wake Counties. The score card allows 10 points for keeping the physical record, 5 for race and sex separation, 10 for separation of the infectious, 10 for precautions against vermin, 7 for air and floor space, 6 for water supply, 7 for clothing, 6 for bathing facilities, 8 for furnishing and condition of beds, 6 for furniture and recreation, 7 for sewage disposal, 8 for precautions against flies and mosquitoes, 10 for general cleanliness

and comfort. The Buncombe County Jail scored 53 out of a possible 100; Forsyth County, 65; Mecklenburg, 65; and New Hanover, 97. Neither in Buncombe County nor in Mecklenburg were the physical examinations of prisoners made as required by law. In Buncombe County neither the tubercular nor the venerally diseased were separated from the other prisoners; in Mecklenburg only the venereal cases were segregated.

These facts have a direct bearing on the situation of the juvenile delinquents who are frequently held in jail for short periods of time and are occasionally sentenced to long terms there, for they are rarely separated in any way from the adult prisoners. In Mecklenburg County the two white boys who were in jail on the day of our visit were in a cell block entirely to themselves, but the girls who were under treatment for venereal diseases shared the cells of the older prostitutes. The testimony of the Salvation Army workers who regularly conduct religious services in the county jails coincided with that of the social workers and probation officers. It was to the effect that white boys frequently, and negro boys always, share cell block and frequently the cell with men prisoners.

Children in County Jails

Information on the number of children detained in, or committed to county jails was obtained from two official sources. The reports which the clerk of the superior court sends to the attorney general after each session of the court are supposed to include among other items, the age and disposition of each person tried. Reports for the year 1916-1917 were on file from 97 of the 100 counties. Four* of the 97 counties gave ages in some instances; 18† gave no ages at all. Among these 18 were Buncombe (Asheville), Mecklenburg (Charlotte) and Wake (Raleigh). Personal investigation of the original books at the court house and interviews with the clerk of the court established the fact that in these counties no effort is made by the clerk to learn or record the age, even when the defendant is evidently under 18.

Interviews with the clerk in other counties developed the equally interesting fact that in many instances the age given in the report

*Columbus, Granville, Haywood, Iredell.

†Buncombe, Burke, Cherokee, Craven, Dare, Edgecombe, Guilford, Hoke, Jones, Macon, Mecklenburg, Northampton, Person, Robeson, Tyrill, Wake, Washington, Wilkes.

to the Attorney General is simply the opinion of the recording officer and is only approximate, "We never ask them how old they are," said one man, "the judge gets their ages during the trial if they are little fellows, and we usually put it down, but if they are around 16 or 17 we just make an estimate." The figures available in the clerk's reports, then, represent only a portion of the state and are not entirely reliable as to age of prisoners, though they are probably more accurate with regard to the younger children.

According to these figures for 1916-1917, 42 boys under 18 received sentences to the county jail and 75 were sent to the county roads. These two sentences may mean practically the same thing, for all the prisoners on the county chain gang are sent out by the sheriff through the jail, but occasionally, boys instead of going to the road camp are hired out to some farmer who pays the county for their labor. This system should have been abolished in 1917 when the state abolished convict leases, for it is equally iniquitous.

The jail sentences ranged in length from one day to four years for the 26 children who are listed as 16 or under. A group of three colored boys, 11, 12 and 13 years of age served the one-day sentence for "setting fire to a building." The 4-year sentence was imposed upon a white boy of 16 who was convicted of larceny and housebreaking. Most of the group were 15 or 16 years old, but two 13-year old colored children were sentenced to four months and two months respectively for larceny. Three boys of 14 received sentences respectively, of two years for assault and battery; six months for robbery; and 90 days for larceny and receiving.

The second source of information was the docket book of the inferior court in the six cities visited. In Asheville, Wilmington and Winston-Salem children's cases were entered in a separate juvenile docket; in Raleigh there was said to be a juvenile docket in the possession of the probation officer, but we were unable to get access to it; and in Goldsboro and Charlotte all names are entered together in one general docket and no ages are recorded.* In Asheville, according to the record, the juvenile court has committed only one child to the county jail; in Winston-Salem five children have received jail sentences; in Wilmington one boy was sent to the county stockade. Both Asheville and Winston-Salem have county reformatories for boys, however. It must be remembered too, that the

*Charlotte has a juvenile record book but after the first four entries, its use was discontinued.

figures quoted for both these sources related to definite commitments only and by no means represent the number of boys who may have been detained in jail pending trial.

We should be able to get this total from the records kept by the sheriffs at the county jails. But in no instance among the 6 jails visited did the ledger give information on the vital point of age. If we had the name of a child whom we knew to have been arrested around a certain date, we would check through the ledger and get the dates when he was received and discharged and this was done in certain instances, but it was impracticable to attempt it for our entire list of juvenile court and superior court cases.

County Reformatories

Two counties, Buncombe and Forsyth, maintain reformatories for their delinquent boys. Since they were designed primarily for the care of children, they have been classed as children's institutions and the description of their work has been transferred from this report to the section on Children's Institutions (see p. 132).

New Hanover County has an institution known as the County Stockade which is really a prison for men and women. It is a concrete structure of the most repellant old style penal type, located in the country some four miles from Wilmington. No white boys have been sent there since the Stonewall Jackson Training School has been available, but we found 6 colored boys and 2 colored girls present on June 6th, 1918. They were all committed from the Recorder's (or Juvenile) Court, the court order reading, "Paroled to F. J. Dempsey." F. J. Dempsey is superintendent of the County Farm which adjoins the County Stockade, but the children paroled to him are with a few exceptions lodged and fed at the Stockade. They work during the day, however, under Mr. Dempsey's direction on the farm, apart from the adult prisoners.

Hours are from 7 to 7, with one hour off at noon. The girls are sent into the fields with the boys, under guard, and work side by side with them for the same long day. The two girls whom we interviewed were each 18 years old. Both had been employed at domestic service and both were serving short sentences for "fighting." Ordinarily any girls sent to the Stockade are employed in the kitchen at the County Farm.

The Stockade is two stories high and has two wings, in one of which are lodged the boys, on the first floor, and the girls and the

women prisoners together on the second floor. The boys' quarters are in one large room with four small barred windows. Five double decker iron beds stand here. No bed linen is provided. Next to this dormitory is a bath room with one toilet seat, one basin and a shower bath. The toilet was in bad condition, partly stopped up and not flushing properly.

One battered checker-board and two or three books lay on a long bench against the dormitory wall. When the boys come in for their hour's rest and dinner they are turned into this room to play. "We couldn't let them play out of doors," said the matron, "because we haven't anyone to watch them." The corresponding room occupied by the girls on the floor above is much lighter and airier.

The girls eat in the kitchen of the Stockade with the colored servants. The boys have a table and benches in the men's dining room. Twenty-eight "gun-men," or state prisoners who work under an armed guard, had recently been sent to Wilmington to work on the new road to the Navy Yard. Since there are only 33 county prisoners at the Stockade the "gun-men" also were lodged there and shared the men's dining room.

The youngest child at the Stockade gave his age as 7. He certainly looked no older but the colored probation officer said he was 9. Seven or 9, it seemed incredible that this small boy, with his babyish face and manner should be serving his second term at the Stockade, yet the court records showed that Earl had been three times arrested. He was first brought in as an "incorrigible child," and after trial on probation was sentenced to six months at the County Farm, which meant for him the County Stockade. He was so homesick however, that he was released to his mother after three months. The second charge against him reads, "assault with deadly weapon" which, interpreted by Ear', means "broke a girl's nose" and interpreted by the probation officer, means "quarreled with another child and struck her."

While still on probation for this offense, Earl stole a bicycle and was sent to the Stockade for six months. At the Stockade, he worked in the fields from "sun-up to sun-down." It is possibly of significance to know that Earl's father deserted some years ago, leaving his mother to make a living for herself and Earl by "washing for white folks." The child when at home was alone practically all day long.

Another boy with two arrests to his record, now serving his first term at the Stockade, has never gone to school at all, although he was born in Wilmington and has always lived there. At twelve, he can neither read nor write. Both times he has been charged with burglary, once breaking into a house and once into a store, and it will be apt to go hard with him if he is again arrested, for burglary is a felony punishable by imprisonment in the State Penitentiary, or by death.

Children in State Penitentiary

Between January 1, 1916 and April 1, 1918, 84 children, 18 years of age or under, are listed on the entrance books of the North Carolina State Penitentiary at Raleigh. Seven of them were girls, one, a white girl of 14 whose story will be told at length, the others, colored girls, aged 13 (one instance), 15 (three), 17 (one), and 18 (one). There were 23 boys of 18, 2 of 13, 22 of 17, 18 of 16, 6 of 15, 5 of 14, and 1 of 12. Fifty-three of them were colored, 24 were white children. Out of the entire group of children, 38, or slightly under one-half, were 16 or under.

Not all the offenses were on the surface of tremendous importance. The following tables show for two different age groups the character of the crimes with which they were charged.

OFFENSES OF CHILDREN RECEIVED AT STATE PENITENTIARY FROM JANUARY 1, 1916 TO APRIL 1, 1918, BY AGE GROUPS, SEX AND COLOR. DATA FROM PRISON REGISTER

Offenses	16 and Under				17 to 18				Total
	Male		Female		Male		Female		
	W.	C.	W.	C.	W.	C.	W.	C.	
Attempted rape	..	3	..	..	..	3	..	..	6
Burglary	..	3	..	..	..	6	..	..	9
Crime against nature	..	..	..	..	..	1	..	..	1
Dist. whiskey	..	..	..	..	1	..	..	..	1
Forgery	..	..	..	..	1	1	..	..	2
Housebreaking	4	5	..	1	3	3	..	..	16
Larceny	2	6	..	2	..	3	..	1	14
" and Burglary	..	..	..	..	..	1	..	..	1
" and Housebreaking	..	2	..	1	3	..	..	..	6
" and Receiving	..	..	..	..	..	1	..	..	1
" Store breaking	..	..	..	..	1	..	..	..	1
Manslaughter	2	2	..	..	..	3	..	..	7
Murder	..	..	1	..	2	2	..	..	5
" 2nd	1	2	..	..	2	3	..	1	9
Rape	..	..	..	..	..	1	..	..	1
Store breaking	..	..	..	..	3	1	..	..	4
Total	9	23	1	4	16	29	0	2	84

Murder and manslaughter, crimes over which in many states the juvenile court has no jurisdiction, sent 21 of the 84 children to the penitentiary. Rape and assault with intent to commit rape were responsible for 7 more convictions, all of colored boys. The other 56 children were convicted of crimes which with four exceptions all fall into the class of thefts; house-breaking, store-breaking, burglary and larceny, alone or in combination, account for 52 or 62 per cent of the offenses; 35 of this group were colored children.*

The colored boy of 12 received a sentence of 10 years for manslaughter. The two colored boys of 13 were committed for larceny (sentence one year), and for housebreaking (sentence two years). Six children of 14 years were received. A white girl came under sentence of 20 years for murder and an Indian boy received 5 years for manslaughter. Both these cases are given special attention in our study. Two white boys were arrested for house-breaking. One received a 2-year sentence, the other an indeterminate sentence of six to eighteen months. Two colored boys came, one for house-breaking and larceny, the other for larceny. They were given 5 and 7 years respectively.

The young boys are rarely held in the prison more than a few nights. The present warden makes it his policy to send them as soon as possible to one special state surveyor's camp which is in charge of an engineer who knows how to handle boys and does not mind having them around. Since they are of little real service anywhere, as compared with the men, some superintendents of road camps object to receiving them at all. The older boys who are well grown and strong are sent to the state farm or to the chain gangs. The younger group drive teams, carry water, run errands and do light farm work. The older boys do a man's work with the other men. Living conditions vary with the good sense and the humanity of the superintendent under whom they work. The inspection service of the State Board of Health tries to guarantee decent sanitation and the separation of the diseased from the well prisoners.

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*It must be remembered that the state has as yet no training school for juvenile delinquents of either sex among the colored race. How to handle them fairly, especially the older boys who need real discipline, is a serious question among the judges of the superior courts. The right sort of probation, or indeed any probation at all, is not available to many courts, and with no institution open, the situation is very difficult.

The girls, on the other hand, are held in the state penitentiary building with the women convicts. The women occupy one double tier cell block in a wing to themselves and since they are comparatively few in number enjoy considerable freedom within their part of the building. The girls are not separated in any way from the women and the best friend of the 14-year-old white girl was said to be the most depraved and most dangerous of all the women convicts. The men make chances to see the women and occasionally to communicate with them in spite of the vigilance of the guards and the fresh prettiness of this young girl has made her particularly the object of their attentions.

On certain days the women are employed in the prison laundry. Their only other occupation is prison sewing and mending. They have a tiny, walled-in yard where they have made a little garden and where they take their outdoor exercise daily. The Social Service Committee of the Raleigh Woman's Club has arranged for a two-hour instruction period twice weekly when volunteer teachers help the women with academic work or with sewing. The Committee bought materials for fancy work, taught the girls how to use them and find a market for the completed product. Last year the sales amounted to over one thousand dollars. They also established a Sunday school which both men and women convicts may attend.

While the surroundings are gloomy and depressing, as is inevitable in any old style prison building with narrow cells, poor lighting and inadequate ventilation, one does not feel the pressure of the machine-like discipline which characterizes larger penal institutions. The superintendent of the woman's department is considered a reasonably efficient official by those Woman's Club members who have had opportunity to observe her closely. The women are kindly treated and are fairly comfortable physically.

However, this fact does not justify the intermingling of girls of 13, 14 and 15 with women old in crime. Nor does the fact that there have been few girls so imprisoned indicate no need for a woman's reformatory or a girls' training school. It simply means that some girls are sent outside the state for institutional care; that others serve short-term sentences in county jails; that others are ordered to "move on;" and that many are released outright by the judges. We shall try to show under our discussion of the uncared-for delinquents what happens to some of these girls who are left at large.

Juvenile Protective Associations

Only one group of private agencies, so far as we could learn, is directly interesting itself in the welfare of the delinquent and dependent children of North Carolina. According to Crawford Jackson, general secretary of the Juvenile Protective Association of Atlanta, Georgia, similar associations have been formed in the following North Carolina cities: Asheville, Gastonia, Hendersonville, High Point, Lexington, Statesville, Hickory, Hillsboro, Madison, Mayodam, Newton, Concord, Marion, Morganton, North Wilkesboro, Reidsville, Shelby and Greensboro.

The purpose of these organizations, as stated in an undated pamphlet called "What Done and Where," is "to get established the juvenile court system with one or more paid probation officers in every county, with suitable volunteer big brothers and big sisters." The method of organization, as we observed it, is very loose. None of the local branches have of necessity a constitution or any definite plan of action, nor are they in close touch with the parent organization in Atlanta. The membership is chosen from representative members of the community, men and women who are genuinely interested in the children and who, with a little direction, would be capable of effective service.

With the single exception of Asheville, where the judge of the juvenile court is chiefly responsible for results (see p. 34) we found no evidence that the Juvenile Protective Associations were in any sense a real force in the community. Members were, in a few instances, serving as volunteer probation officers but any broad conception by the whole group of the possibilities of probation service or any efforts to discover and destroy the causes of delinquency were conspicuous by their absence.

The Salvation Army

One other agency occasionally comes into contact with delinquent children, although their main interests are with the adults. The Salvation Army regularly visits jails and houses of prostitution for the purpose of conducting religious services for the inmates and it shelters in its plain lodgings many runaway boys and girls to whom no other refuge is open. Whether or not one wholly approves of all the methods followed by the Salvation Army, it was impossible to

talk with certain of its representatives in North Carolina without a keen sense of their devotion and their intelligence.

In Wilmington at present and in Winston-Salem until the appointment of a full-time probation officer, the wife of the captain of the local post frequently served in that capacity for the delinquent girls brought before the juvenile court. This did not, of course, mean the keeping of careful records or complying with all the technicalities of regularly organized probation work. But it often meant taking a girl into one's own home, sometimes caring for her through confinement, sometimes training her to take a position at service, and always keeping her under close observation. When one remembers that sexual immorality is practically the only charge for which girls are brought to court in North Carolina, and that the well-to-do girl is protected from the consequences of her own misdeeds, the value of this sort of service is evident.

Further, in lieu of a state training school for girls, the Rescue Homes maintained by the Salvation Army in various near-by states have often been used as places of commitment by the courts.

Nor should the protective work of the Salvation Army be underestimated. Their duties take them, night after night, into the worst parts of the city and they know, as perhaps no other private agency knows, the denizens of that underworld which is by no means limited to the great cities. In our efforts to trace the family histories of certain children, we were constantly referred by other local agencies to the Salvation Army and again and again the captain or his wife would say, "Yes, I took that little girl out of a house of prostitution when she was only 4. Her mother died there." Or, "The boy's parents wrote us that he had run away and they thought he had come here and would we find him and send him home. We hunted the town over and finally we found him in jail for vagrancy. The captain got him out and sent him home." Simply by virtue of being on the spot the Salvation Army workers are sometimes able to get their hands on a child before any harm has come to him and to remove him from surroundings that are morally dangerous.

The Uncared-for Delinquent

As with the dependent child, the term "uncared-for" when applied to the delinquent does not necessarily mean that nothing has been done. It means that the right thing has not been done.

Take Jessie Blank*, for instance, a white girl, arrested at 14 for the murder of her mother, clapped into jail, convicted on her own confession and sentenced to serve 20 years in the state penitentiary. To the casual onlooker it might seem that Jessie had been very thoroughly and effectively "taken care of." But has she?

We submit extracts from the sworn testimony given at her trial, transcribed from the official stenographic report on file at the courthouse where she was tried.

A man is on the stand who has a bad reputation for fighting and selling whiskey and who has served several terms in jail.

Q. When did you first see Jessie Blank?
A. In jail.
Q. Did you ever have any conversation with Jessie Blank in regard to the killing of her mother?
A. Yes, sir.
Q. Where was it?
A. Right out in the jail.
Q. In a room?
A. She was upstairs and I was downstairs.
Q. In cell?
A. Yes, sir.
Q. How far apart?
A. Two or three feet.
Q. Who else was in the cells at that time?
A. Nobody.
Q. State eaxctly as near as you can recollect what was said.
A. I never did say anything to her about it until Friday evening the best I can recollect. She was crying in there and I asked her what she was crying about and she said that she heard that they said she was in a family way. I asked her if she had any chance to be and she said she did and I asked her who by and she said A.—B.—, and she said he would draw a gun on her and made her do that, and her mother didn't want her to go with him and he told her if she didn't kill her mother he would kill her that certain evening.

. . . . . .

Q. Could you see her from your cell up to hers?
A. Could with a looking glass. She had the glass upstairs and sometimes she handed it down to me.

. . . . . .

Later on in the trial Jessie admitted that when removed to the M. —— county jail she had written several love letters to a colored

*All names fictitious.

prisoner who was held in the cell across from her. The jail was so built that the girl and the negro could see each other across the corridor and the notes were delivered by a half-witted boy who was in jail at the time for some slight offense and had been given the freedom of the place. Appended is a copy of one letter which Jessie wrote to the negro:

> "My darling, I am sorry to hear that you have been convicted and must go to the roads. I would like to kiss you good-bye before you go but don't expect I will get the chance. Am going to ask Mrs. Palmer to bring me down to the S. S. next Sunday so I can see you, if possible, the last time. Don't know when I will get out but guess you will have forgotten me and gone with your girl, Margaret S.———"

Would it seem that Jessie had been given adequate protection at the two county jails where these two acquaintances were formed?

During the trial the girl displayed such a curious combination of indifference to the tragedy she had committed, shrewdness in defending herself, and naive satisfaction in being the center of attraction that many people believed her to be not quite normal mentally. Two physicians and the judge concurred in the suggestion that she be given a thorough mental examination. She has now been in prison for two years and no such examination has been made. Has she really been cared for?

Suppose Jessie serves the entire sentence imposed upon her. She will be discharged at 34, still capable of bearing children and practically certain, because of her undeniable good looks and her strongly sexual nature, to contract an alliance which with her prison background can hardly be a desirable one. If she is a high-grade feeble-minded girl, as may be possible, she ought to be in an institution for the feeble-minded where she can be happily employed at least until it is no longer possible for her to have children. If she is a normal child who has been the victim of an unusually vicious home environment, she should be at once removed from her present associates at the prison and placed in some institution where she can be gradually trained under proper surroundings to make a living for herself and supervised for a time when she is ready to return to normal living conditions. But North Carolina has no such institution. Can the state really consider that Jessie is cared for until some of these pressing problems are settled?

Or take the case of Fred H., a 14-year-old Indian boy who has

just received a five-year sentence to the penitentiary for stabbing a playmate in a quarrel at the Indian Reservation school. Fred's father, Jim, is a quarter-breed Indian married to a white woman of whose family it is said that "none of the F. girls ever passed 20 without going wrong." She bore Jim one child, a little girl, before their marriage. Later the father contracted incestuous relations with this girl and had one child by her. Jim and his brother were involved in the murder of another Indian but escaped punishment through some legal technicality and Fred has often been heard to boast "My father got his man and no one ever did anything to him. Just wait till I get mine." Since the war began he has been obsessed with the desire to kill Germans, and on the morning after the death of his playmate he was seen whetting his knife to "take to Germany." Can the state which sends this boy to the penitentiary be said to have cared for him?

But it is not only after a child has been arrested that the state owes him protection. Many of the boys and girls who became delinquent might never have been so classed had certain improper conditions been suppressed in their inception.

The Child of the Degenerate Family

Mary Ann is now in the Salvation Army home at Greenville, S. C., but her mother who should long since have been in prison still keeps three little daughters in a home which is nothing less than a house of prostitution. Mary Ann is 14. For months before she was finally arrested she made a practice of running away from home at night and asking for shelter at private houses or at the Young Women's Christian Association or at the Associated Charities. To those who gave her refuge she would tell a pitiful tale of conditions at home which she had run away to escape. Unfortunately, repeated trials demonstrated the fact that Mary Ann was just as anxious to run back home after a brief visit elsewhere as she had been to leave in the first place. Various women in the city offered the girl a home at different times but she never remained anywhere long. Finally she took to dressing in boy's clothing and thus attired she would sleep out, often with boys or men. When at length arrested and brought before the court, she admitted having had sexual intercourse on three different occasions with three different men.

There was no institution in the state which could receive Mary

Ann, but the Salvation Army secured her admittance in their rescue home in South Carolina. The probation officer, knowing Mary Ann would be likely to run away, induced the court to commit her to the North Carolina Children's Home Society in order to be able to apprehend her in case of escape and return her to the society rather than to her mother.

Mary Ann's father deserted a year ago. He was a shiftless ne'er-do-well, employed irregularly at day labor. Her mother works in the big tobacco factory at piece work, making $12 or $13 a week. An 18-year-old sister was also employed in the factory until her cough grew so bad that she could not remain. This sister is said to assist the mother in plying the secret trade by which they eke out an existence for themselves and the 5 little children still at home. They own a cow which "gives two gallons a day—but we don't like milk. No, we don't sell any. Last night we threw out five gallons."

The children aged 13, 10 and 8 have been out of school all year. They simply did not enter in the Fall and no one has ever troubled them about it. They explain, glibly, that they had no shoes, but the secretary of the Associated Charities states she has sent clothing of all sorts sufficient to outfit each member of the family from head to foot. On the day of our visit the 13-year-old girl wore absolutely nothing but an old, thin gingham dress and the younger children were arrayed with like disregard for decency. One child has recently been at the City Hospital for a venereal infection of the eyes which almost cost its sight.

Still the mother refuses to let the children go. There is venereal disease and probably tuberculosis in the family, possibly also a strain of feeble-mindedness, for one sister of Mrs. B's. is "very peculiar" and has a feeble-minded child. There is no moral restraint of any kind in the houshold and all the conditions which make for decent living are absent.

Still the situation persists. There will be more Mary Anns' in court, inevitably, unless something is done. Did the state which permitted the first Mary Ann to remain in such a home—and still permits her brothers and sisters to remain there—really care for the child?

Another child of the same type is Jack W. The chief of police says of his father, "I can remember 20 years back when we were all trying to make the old man go to work. The Mayor would find him

a job and make him take it but he never stuck." Now the father, paralyzed and just able to drag himself about, is seeking admittance to the county home.

Jack's mother has just died in the city hospital. She was insane for some years before her death, probably as a result of the excesses amid which she had always lived. She and her sister and their mother were all three known as keepers of disorderly houses.

One brother, now 21, seems to have escaped the general family reputation. He is employed at a decent trade and is doing well. The oldest brother has been drafted and after deserting twice is now said to have been sent to France. This boy has a long record as a juvenile delinquent. His mother used to send him out to beg and the police were always picking him up on the streets, late at night, in questionable company.

The twin sisters who come next in age are now in charge of the Girls' Protective Bureau at Greenville, S. C. They are camp-followers of the worst sort. Each has a long police court record for vagrancy. They are always being "shipped back to M." by the police of some other city.

Jack himself had never been arrested prior to his commitment to the Stonewall Jackson Training School, where he now is. The charge was "vagrancy," a term frequently used by North Carolina courts to cover just the type of family neglect which Jack represents. The superintendent of the Training School considers him a high-grade moron.

Jack's little sister was sent by the court to the North Carolina Children's Home Society.

What this family has already cost the public, it would be hard to estimate—hospital care, court proceedings, jail detentions, transportation, care in institutions; the total would be formidable, were it possible to compute it—and the end is not yet.

The Feeble-minded Child

Feeble-mindedness presents the same difficult problem with the delinquent child as with the dependent. The following story is condensed from the records of the charity organization society in M.

2-27-17. Mother asks aid in getting boy into Kinston. Father dead. Mother works in mill. No other children. Boy constantly in trouble. Wrote superintendent.

2-29-17. Superintendent replies impossible to take boy. Hundreds of applications ahead of his.

3-17-17. Mayor reports case to C. O. S. Boy arrested for loafing about and shooting chickens. Sent to jail until Monday when will appear. before Judge B.

3-19-17. Talked with judge. Does not think he can send boy through court as Dr. M. "does not like to take boys who are sent that way." Would be better to have application come through C. O. S.

3-20-17. Applications filled out, mental tests etc. made. Boy will have to stay in jail until C. O. S. hears from application.

3-26-17. Secretary called to court by Judge B. No word from Kinston. Boy's brother from Durham wants to care for him. Judge did not feel that he could keep boy in jail any longer and believed chances slim of getting into Kinston so paroled boy to brother for two years.

4-26-17. Boy arrested again. Brother went to Durham and left him behind. Said he could do nothing with him. Boy came into court and was released with understanding that mother would move into country with him to keep him out of trouble.

5-22-17. District nurse reports boy back and making trouble.

Reported to judge. Asked another letter to Kinston. Superintendent replied could not take boy unless paid $18.00 a month. Decided C. O. S. cannot assume burden, as it would be a permanent thing. Saw county lawyer and he thought it very unlikely county would give any money at all.

The Child for Whom There is no Room

The situation in the following case illustrates what may happen when two courts in the same town are given concurrent jurisdiction over children. We have again the boy whom lay opinion has classed as feeble-minded. He does not belong at the Stonewall Jackson Training School if he is feeble-minded, yet he is committed there. But neither there nor at Kinston is there room for him. Over 18 months have passed since the first entry was made on this record, yet the boy is still at home.

1-31-17. School teacher to Secretary, C. O. S. "Please investigate case of Wade J. His mother is dead and I hear they have run him away from home. He has been in Richmond with a sister and came to my room as a pupil and he stayed just one day, week before

last. But I hear he has stopped because he has to go to work and is sleeping anywhere and in old outhouses and I am sure he will go to the bad. I think he is somewhere about 14 years old. I also suspect that he has taken my school room key."

2-2-17. Visited. Boy lives with grandfather, a very old man who has cared for boy since his mother's death 11 years ago. Father lives nearby. Has married again and does nothing for boy.

In same house with grandfather who is highly respected old man, live his brother and his wife who keeps house for the two old men and the boy. Brother is religious fanatic.

Grandfather says boy very unruly. Will start him to school and boy never gets there. Can barely read or write. Is in special class at school; little doubt but that he is feeble-minded. Seemed all right until about two years ago but has been growing steadily worse since. Was in Richmond with aunt during part of winter but behaved so badly she sent him home. Runs away; sleeps out; steals. Will try to get him back in school but would like to have him placed in institution.

2-2-17. Talked with Judge B. "He cannot do anything about it until the boy has been arrested for some offense and brought before him and then he can send him to the Training School."

Teachers say boy is feeble-minded. Constantly in trouble at school.

4-18-17. Neighbors report boy has stolen $200 from aunt. Aunt says boy has stolen, but not that amount.

Secretary asked Dr. R., whom grandfather had consulted about boy, to have grandfather bring boy to court on Monday and bring charge against him for stealing and she will see if judge will not send him to Stonewall Jackson Training School.

4-23-17. Man had boy in court, but secretary was ill and could not be there and grandfather became confused. Judge dismissed case.

4-28-17. Dr. R. sent word boy had been arrested for carrying a pistol and for stealing. Was locked up in jail and was to be brought before judge next Monday.

4-30-17. Went to Mayor's Court first. Boy was there, dirty and unkempt, and looking more dull and stupid than he had ever looked. He had quite evidently not been allowed a change of clothing or a good wash since he was locked up. Sat for two hours waiting his turn. Mayor sent him to higher court.

Went to County Court with boy and grandfather. After going over case judge sentenced to Stonewall Jackson Training School.

5-4-17. Judge had word from Training School that they could not take boy, so he was simply turned loose to go home with his grandfather. He could not be sent to the roads as that would be ruination for him.

7-2-17. Happened to meet grandfather. Boy had been arrested again and locked up. Police let him go after a day or two. Begged secretary to get him in some institution. So afraid of being arrested again that he will not go out of house. Ought to be at Kinston but they are full with long waiting list.

6-20-18. Boy still at home.

The Handicapped Child

A very common type of the juvenile delinquent is that represented by Mark H. Mark comes from a fairly comfortable home, is sent to school regularly and could make satisfactory progress at his studies if he would apply himself. But he played truant frequently and finally began to steal, taking books from school building, eggs from the neighbors and a pair of opera glasses from the store where his father was employed. For this last theft, he was arrested and was put on probation.

He was 12 years old and rather small for his age. The truant officer had the city physician examine him and it was found that Mark had much enlarged tonsils and adenoids which needed immediate removal. The parents refused to have the operation performed and it was not until the officer threatened to put the boy in jail that their consent was won.

The operation was performed at the city hospital and after an absence of two weeks, Mark returned to school. He has given no trouble to the teacher since and is doing very good work. It is too soon to say that his change of heart will be permanent but the problem is at least temporarily solved.

In contrast to the treatment accorded Mark is the course of action which has been followed with Arthur D. Arthur is now 15, a big, broad-shouldered boy in whom one can easily see stirring the same spirit which has sent three of his brothers to France. But Arthur can never hope to wear khaki because one leg is gone at the hip. He fell when 8 years old, injuring his leg so badly that tuberculosis of the

bone set in and two amputations had to be performed to save his life. For over a year the little boy lay in the hospital and for much longer he was unable to attend school or play with other lads. During these months he deserved, and got, his full share of affection, and when he grew able to hobble out on his little crutches, it was only natural that people continued to shower upon him those favors to which he had grown accustomed at the infirmary.

Unfortunately his circle of friends grew too fast and strangers did not always exercise good judgment in what they said or did. The boy grew self-willed and indolent, refused to attend school, was insolent to teachers and parents and rebuffed all efforts to help him which were conditioned upon his own co-operation. He became a newsboy, using his trade as an excuse for begging, and soon was a nuisance upon the streets. When finally brought before the court for vagrancy, he was released on probation with a warning that the begging must cease.

At present Arthur has a position as messenger boy for a small shoe shop. He manages to ride a bicycle by pushing one pedal with his crutch and can probably hold his own with the other boys at this occupation. But it presents no future, and he is a boy of real mental ability and some ambition. With three brothers sending home allotments and the science of artificial limb construction attaining new excellence each day, it would surely seem that the time had come for Arthur to have an artificial leg and some vocational training which will give him a chance to develop his native powers. Yet no one is standing back of the situation and pushing it in the right direction. If nothing is done, Arthur may quite conceivably spend his life at ill-paid work or begging and end his days in the county home.

The Newsboy Delinquent

Two years ago the Y. family moved to N. and Ted who was then 10 years old, got a job selling papers after school. At first he brought all his earnings home but it was not long before he was spending a good deal for the movies, soda and candy. Then he began to play truant. His father, a brakeman on the railroad would stop work to look for the boy and would usually find him hanging around the newspaper office. The truant officer warned him several times.

One night, he was found sleeping on a pile of papers at the press

room door, in order to be first to get the morning edition. He was arrested but was put on probation. A few nights later the mother called up the probation officer and begged him to send Ted to the county reformatory, as she could do nothing with him. There was no doubt that she tried, but the effort to bring up seven children on a brakeman's salary was too much for the mother. She had no surplus strength for discipline.

The superintendent of the reformatory says Ted is the brightest boy he has, always willing to help and to learn and never giving any trouble. He feels that the "tough bunch" Ted came to know in his newsboy days were the source of all his trouble.

The Immoral Girl

On December 4, 1917, the chief of police reported to the charity organization society that a young girl was being held at the station house on serious charges. She had been arrested the night before with two men, but on account of her youth the police hesitated to press the charge.

The secretary of the society found a girl of 14 who admitted that she had spent the preceding night with a boy of 16 and an older man in a house near town to which they had taken her. The parents were decent self-respecting folk and the three older children all held good positions. But Catherine had been beyond her parents' control for two years and recently the only way they had been able to keep her in at night was by chaining her to the bed. They tried first chaining her to a chair, but Catherine dragged the chair into the backyard and cut herself loose with an axe. She would not attend school regularly and took no interest in anything at home.

The charity organization society took Catherine to a private sanitarium for a mental and physical examination. The specialist pronounced her normal but decidedly over-sexed. Letters she wrote while at the sanitarium involved a third man in her delinquency, but the Legal Aid Committee reported that under the present law there were no grounds for prosecuting him, "since the abduction law would apply only to girls under 14, and since a man could not be prosecuted for keeping a disorderly house unless more than one woman were found in his house."

When Catherine returned to her home, a special effort was made to secure new friends for her and clothing was sent her suitable for

wear at club or Sunday school. But within a week she had run away again, this time to a disorderly house. The representative of the War Camp Girls' Protective League became interested in the child but after repeated interviews had failed to produce any impression upon Catherine, it was decided that even jail would be better for her than the life she was now leading. But the only place open in the jail was in the same cell with a badly diseased older woman interned by the Federal Public Health Service for treatment so that plan was given up. Various institutions outside the state were appealed to, but none could receive her. On June 12, 1918, she was still at large.

CONCLUSION AND RECOMMENDATIONS

We have stopped a few of the boys and girls in the long procession which hurries on, day after day, through a thwarted childhood to an ineffective maturity and have tried to learn their stories. How many hundreds like them there may be among the 890,165 children of North Carolina we can not tell. Some day the state will find it worth her while to install throughout her courts and institutions a system of bookkeeping which will enable us at least to find out how many of them are public charges. That time is not yet. We do not even know how these totals fluctuate from year to year, but we may be sure that North Carolina can never hope for a marked decrease in the number of her dependent or delinquent children until certain remediable conditions are remedied.

Our recommendations can touch only a few of the more obvious manifestations of these conditions. Their roots lie deep in the economic structure of society and in the mysteries of that new science which has so changed our attitude toward heredity—eugenics. But certain methods of control have been successfully applied by other states to similar situations and, properly adapted to North Carolina's special needs, it is only reasonable to expect them to be of service here as well. It goes without saying that a good compulsory education law, a well-enforced, well-written child labor law, a housing code applicable to rural districts as well as to cities, the establishment of medical inspection and school nursing in all schools, rural and urban, the provision of parks and playgrounds and libraries for negro children as well as for the whites—will go far toward reducing the burden of juvenile delinquency and dependency, besides build-

ing up the health and moral strength of the normal child in his own home.

Most of these topics are covered elsewhere in the report. But for our special group of children, certain specific recommendations can be made. First, and most important, are certain changes which should be made in the law establishing state and county boards of public welfare and second, is the substitution of a real juvenile court bill for the present ineffective Probation Courts Act. We recommend

A. For the State and County Boards of Public Welfare:

1. That the establishment of county boards of public welfare be made compulsory and that if the board of county commissioners in any county within six months after this amendment becomes law has failed to elect its county board the State Board of Public Welfare shall be empowered to appoint a county board, to have the same powers and duties as if regularly elected by the county commissioners.
2. That the County Board of Public Welfare have full power of appointment and discharge of the county superintendents of public welfare. The county superintendent of public welfare should be affirmed by the State Board.
3. That the staff of the State Board be sufficiently expanded and the appropriation therefor be sufficiently increased.

B. For the Probation Courts Act:

That the Probation Courts Act be repealed and that for it be substituted the juvenile court law appended which has been drawn up in accordance with our suggestions by the secretary of the National Probation Association.

These proposed changes are of fundamental importance. For the first time, the responsibility for both delinquent and dependent children is centered in one person in each county and that officer is the same in all counties. The clerk of the superior court will bring to the trial of the delinquent child a mind unprejudiced by long experience in the criminal court and it will be far easier to accomplish the transition from the criminal to the chancery form of procedure under his leadership than it would be under the guidance of any criminal judge, however fair minded. Through the extension of the county boards of public welfare probation service of the right sort will be available to every juvenile court, and it will be supervised by the State Board of Charities.

These two laws are the backbone of the new system of child care. But if they are to operate freely, certain existing legislation, other than that which they replace must also be changed.

We recommend:

1. That all provisions relating to the binding out or apprenticing of children be repealed.
2. That a law be passed making it a misdemeanor to keep a child more than two months at any county home unless it be a baby under one year of age and in its own mother's care. No board of county commissioners and no superintendent of a county home should be allowed to place a child in an institution or to give away a child either for adoption or for care. All such transactions should be carried on by the County Board of Public Welfare through its superintendent. Until the boards are organized and have chosen their superintendents, the State Board should arrange to carry on or supervise the work. The children should, however, while the actual home-finding work is carried on, be regarded as wards of the state.
3. That the state and county boards of public welfare be directed, as one of their first undertakings, to devise means of strengthening the present system of county poor relief so that it may be made possible for dependent women who are mentally normal and are of good moral character to rear their children in their own homes.
4. That the desertion of a dependent child be made a felony.
5. That provision be made, possibly at the medical school of the State University, for free treatment of children afflicted with a curable malady or deformity, the county superintendent of public welfare to investigate the ability of the child's parents to pay for such treatment and if the parents are indigent the state to pay all expenses of transportation and treatment.
6. That provision be made for giving mental tests and physical examinations to all children brought before the juvenile court.
7. That the hiring out of children convicted of a crime be abolished.

PROPOSED JUVENILE COURT ACT FOR NORTH CAROLINA

An Act conferring exclusive jurisdiction upon the superior courts to adjudicate upon all cases of children eighteen years of age and under who are delinquent, neglected, or otherwise subject to the discipline or in need of the care and protection of the State; conferring jurisdiction upon such courts to adjudicate upon cases of adults who may be responsible for or contribute to the condition of such children; regulating the procedure and treatment in such cases including provisions for the detention of children, a probation system and the appointment of guardians; providing for the appointment of the clerk of the superior court in each county to act as referee in the hearing of any cases coming within the provisions of this Act; and providing for the repeal of all laws or parts of laws inconsistent herewith.

Enacting Clause

Section 1. Jurisdiction over Children. The superior courts shall have original and exclusive jurisdiction of any case of a child 18 years of age and under residing in or being at the time within their respective districts

(a) Who is delinquent or who violates any municipal or state law or ordinance or who is truant, unruly, wayward, or misdirected or who is disobedient to parents or beyond their control, or who is in danger of becoming so, or

(b) Who is neglected, or who engages in any occupation, calling, or exhibition, or is found in any place, in which a child is forbidden by law and for permitting which an adult may be punished by law, or who is in such condition or surroundings or is under such improper or insufficient guardianship or control as to endanger the morals, health or general welfare of such child, or

(c) Who is dependent upon public support or who is destitute, homeless or abandoned, or whose custody is subject to controversy.

When jurisdiction has been obtained in the case of any child it shall, unless a court order shall be issued to the contrary, continue for the purposes of this act during the minority of the child. The duty shall be constant upon the court to give each child subject to its jurisdiction such oversight and control in the premises as will conduce to the welfare of such child and to the best interests of the state.

Section 2. Establishment in each county of a separate part of the superior court to be known as the juvenile court; appointment of referee. There shall be established in each county of the state a separate part of the superior court of the district to be known as the juvenile part of the superior court for the hearing of cases coming within the provisions of this act. Such part of the superior court shall be called, "The Juvenile Court of ———————— County."

The clerk of the superior court of each county in the state is hereby appointed and authorized to act as a referee of the superior court in the hearing of cases coming within the provisions of this act in which cases the child or children concerned therein reside in or are at the time within such county. Proceedings in any such cases may be initiated before such referee and in hearing such cases, such referee shall comply with all the requirements and conform to the procedure provided for the hearing of such cases in this act. Such referee shall in each case report his conclusions and recommendations in writing to the judge of the superior court and in case no appeal for a hearing by the superior court is requested as provided for hereafter, the conclusions and recommendations of such referee, if confirmed by an order signed by the judge of the superior court, shall become the judgment of the court.

A hearing by the superior court shall be allowed to any child or to a parent, or, in case there is no parent, to the guardian, custodian or next friend of any child whose case has been heard by such referee upon filing a written request for such hearing with the clerk of the superior court of the county in which the original hearing was held within five days after notice of the conclusions and recommendations of such referee.

Section 3. Definitions. The term "court" when used hereafter in this act without modification shall refer to the juvenile part of the superior court to be established in each county as hereinabove provided. The term "judge" when used in this act shall refer to the judge of the superior court or to the clerk of the superior court acting as referee in any case coming within the provisions of this Act. The term "child" shall mean any minor 18 years of age and under. The term "adult" shall mean any person over 18 years of age.

Section 4. General Provisions. Sessions of the court shall be held at such times and in such places within the county as the judge shall from time to time determine. In the hearing of any case coming within the provisions of this Act, the general public may be excluded and only such persons admitted thereto as have a direct interest in the case. Sessions of the court shall not be held in conjunction with any other business of the superior court and children's cases shall not be heard at the same time as those against adults.

The court shall keep in the office of the clerk of the superior court a full and complete record of all cases brought before it, to be known as the "Juvenile Record." All records may be withheld from indiscriminate public inspection in the discretion of the judge of the court, but such records shall be open to inspection by the parents, guardians, or other authorized representatives of the child concerned. No adjudication under the provisions of this Act shall operate as a disqualification of any child for any public office, and no child shall be denominated a criminal by reason of any such adjudication, nor shall such adjudication be denominated a conviction.

This Act shall be construed liberally and as remedial in character. The powers hereby conferred are intended to be general and for the purpose of effecting the beneficial purposes herein set forth. It is the intention of this act that in all proceedings under its provisions the court shall proceed upon the theory that a child under its jurisdiction is the ward of the state and is subject to the discipline and entitled to the protection which the court should give such child under the circumstances disclosed in the case.

Section 5. Petition. Any person having knowledge or information that a child is within the provisions of this Act and subject to the jurisdiction of the court, may file with the court, a petition verified by affidavit, stating the alleged facts which bring such child within said provisions. The petition shall set forth the name and residence of the child and of the parents, or the name and residence of the person having the guardianship, custody or supervision of such child, if the name be known or ascertained by the petitioner, or the petition shall state that they are unknown, if that be the fact.

Section 6. Issuance of Summons; Traveling Expenses. Upon the filing of the petition, the court may forthwith or after an investigation by a probation officer or other person, cause to be issued a summons signed by the judge or the clerk of the court requiring the child together with the parents or the person having the guardianship, custody or supervision of the child, or the person with whom the child may be, to appear with the child at the place and time stated

in the summons to show cause why the child should not be dealt with according to the provisions of this Act.

The judge may in his discretion authorize the payment of necessary traveling expenses incurred by any witness or persons summoned or otherwise required to appear at the hearing of any case coming within the provisions of this Act. Such expenses when approved by the judge of the superior court shall be a charge upon the county in which the petition is filed.

Section 7. Custody of the Child; Release. If it appears from the petition that the child is embraced with subdivision (a) of section one of this Act, or is in such condition or surroundings that the welfare of the child requires that its custody be immediately assumed, the court may endorse or cause to be endorsed upon the summons a direction that the officer serving the same shall at once take such child into his custody.

In the case of any child who has been taken into custody or pending the final disposition of any case, the child may be released in the custody of a parent or other person having charge of the child or in the custody of a probation officer or other person appointed by the court to be brought before the court at the time designated. Any child embraced in this Act may be admitted to bail as provided by law. When not released as herein provided, such child pending the hearing of the case, shall be detained in such place of detention as hereinafter provided for.

Section 8. Service of Summons. Service of summons shall be made personally by reading to and leaving with the persons summoned a true copy thereof; provided, that if the court is satisfied that reasonable but unsuccessful effort has been made to serve the summons personally upon the parties named herein, or if it shall appear to the satisfaction of the court that it is impracticable to serve a summons personally upon any of the parties named herein, the court may make an order providing for the appointment of a guardian *ad litem* for the child upon whom service of summons may be made. It shall be sufficient to confer jurisdiction if service is effected at any time before the time fixed in the summons for the return thereof, but the court, if requested by the child or a parent, or in case there is no parent, by the person having the guardianship, custody or supervision of the child, shall not proceed with the hearing earlier than three days after the service. Failure to serve a summons upon any person other than said child shall not impair the jurisdiction of the court to proceed in cases arising under subdivision (a) of section one of this Act, provided that for good cause shown the court shall have made an order dispensing with such service.

If the person summoned as herein provided shall fail without reasonable cause to appear and abide the order of the court or bring the child, he may be proceeded against as in case of contempt of court. In case the summons cannot be served or the party served fails to obey the same, and in any case when it shall be made to appear to the court that such summons will be ineffectual, or that the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued on the order of the court either against a parent or guardian or other person having custody of the child or with whom the child may be or against the child himself.

The sheriff or other lawful officer of the county in which the action is taken shall serve all papers as directed by the court, but the papers may be served by any person delegated by the court for that purpose.

Section 9. Hearing; Judgment. Upon the return of the summons or other process or after any child has been taken into custody, at the time set for the hearing, the court shall proceed to hear and determine the case in a summary manner. The court may adjourn the hearing from time to time and inquire into the habits, surroundings, conditions and tendencies of the child so as to enable the court to render such order or judgment as shall best conserve the welfare of the child and carry out the objects of this Act. In all cases the nature of the proceedings shall be explained to the child and to the parents or the guardian or person having the custody or the supervision of the child. At any stage of the case the court may, in its discretion, appoint any suitable person to be the guardian *ad litem* of the child for the purposes of the proceeding.

The court if satisfied that the child is in need of the care, protection or discipline of the state may so adjudicate and in addition may find the child to be delinquent, neglected, or in need of more suitable guardianship. Thereupon the court may

(a) Place the child on probation and may allow the child to remain in its own home subject to the visitation and control of the probation officer, to return to the court for further or other proceedings whenever such action may appear to be necessary, or

(b) Commit the child to the custody of a relative or other fit person of good moral character, subject, in the discretion of the court, to the supervision of a probation officer and the further orders of the court, or

(c) Commit the child to the custody of the State Board of Charities and Public Welfare, to be placed by such board in a suitable family home and supervised therein, or

(d) Commit the child to a suitable institution maintained by the state or any subdivision thereof, or to any suitable private institution, society or association incorporated under the laws of the state and approved by the State Board of Charities and Public Welfare authorized to care for children or to place them in suitable family homes, or

(e) Render such further judgment or make such further order of commitment as the court may be authorized by law to make in any given case.

Section 10. Place of Detention. No child coming within the provisions of this act shall be placed in any penal institution, jail, lockup, or other place where such child can come into contact at any time or in any manner with any adult convicted of crime and committed or under arrest and charged with crime. Provision shall be made for the temporary detention of such children in a detention home to be conducted as an agency of the court for the purposes of this Act, or the judge may arrange for the boarding of such children temporarily in a private home or homes in the custody of some fit person or persons subject to the supervision of the court, or the judge may arrange with any incorporated institution,

society or association maintaining a suitable place of detention for children for the use thereof as temporary detention home.

In case a detention home is established as an agency of the court it shall be furnished and carried on so far as possible as a family home in charge of a superintendent or matron who shall reside therein. The judge of the superior court may, with the approval of the State Board of Charities and Public Welfare, appoint a matron or a superintendent or both and other necessary employees for such home in the same manner as probation officers are appointed under this Act, their salaries to be fixed and paid in the same manner as the salaries of probation officers. The necessary expense incurred in maintaining such detention home shall be a public charge.

In case the judge shall arrange for the boarding of children temporarily detained in private homes, a reasonable sum for the board of such children while temporarily detained in such homes shall be paid by the county in which such child shall reside or may be found.

In case the judge shall arrange with any incorporated institution, society or association for the use of a detention home maintained by such institution, society or association, he shall enter an order which shall be effectual for that purpose and a reasonable sum shall be appropriated by the county commissioners for the compensation of such institution, society or association for the care of children residing or found within the county who may be detained therein.

Section 11. Appointment and Discharge of Probation Officers; Compensation. The judge of each superior court shall appoint one or more suitable persons as probation officers in each county within the jurisdiction of the court who shall serve under his direction and under the direction of any referee appointed by the judge of the superior court for such county. The appointment of such probation officers shall be approved by the State Board of Charities and Public Welfare. The county superintendent of public welfare may be appointed probation officer.

The judge appointing any probation officer may discharge such officer for cause after serving such officer with a written notice and allowing an opportunity for a hearing, provided that no probation officer shall be discharged without the approval of the State Board of Charities and Public Welfare.

The judge appointing any probation officer may in his discretion determine that a suitable salary be paid and may fix the amount thereof. Such salary so determined and approved shall be paid by the board of county commissioners; provided, that no person shall be paid a salary as probation officer without a certificate of qualification from the State Board of Charities and Public Welfare.

The appointment of a probation officer shall be in writing and one copy of the order of appointment shall be delivered to the officer so appointed and another filed in the office of the State Board of Charities and Public Welfare. A record of such appointment shall be kept in the office of the clerk of the superior court.

When more than one probation officer has been appointed in the same jurisdiction the court may designate one of such officers as chief probation officer. The officer so designated shall have supervision over the work of the other officers under the direction of the court.

Section 12. Procedure in Using Probation. When the court places any child or adult on probation as provided in this Act it shall determine the conditions of probation which may be modified by the court at any time. A child may be kept on probation during the minority of such child. An adult may be kept on probation for any period not to exceed five years. The conditions of probation shall be such as the court shall prescribe and may include among other conditions any or several of the following: That the probationer (a) shall indulge in no unlawful or injurious habits; (b) shall avoid places or persons of disreputable or harmful character; (c) shall report to the probation officer as directed by the court or the probation officer; (d) shall permit the probation officer to visit him in a reasonable manner at his place of abode or elsewhere; (e) shall answer any reasonable inquiries on the part of the probation officer concerning his conduct or condition; (f) shall if a child of compulsory school age attend school regularly; (g) shall if an adult or a child who does not attend school, work faithfully at suitable employment; (h) shall remain or reside within a specified place or locality; (i) shall pay in one or several sums a fine imposed at the time of being placed on probation; (j) shall make reparation or restitution to the aggrieved parties for actual damages or losses caused by an offense; and (k) shall support any lawful dependents.

Any person on probation may at any time be required to appear before the court and in case of his failure to do so when properly notified by the probation officer, the court may issue a warrant for his arrest. In the case of a child on probation, if the court believes that the welfare of such child will be thereby promoted, the probation may be revoked at any time and the court may make such other disposition of the child as it might have made at the time the child was placed on probation. An adult on probation who violates any of the conditions thereof may be arrested upon a warrant issued by the court and the court may impose any penalties which it might have imposed at the time the defendant was placed on probation.

Section 13. Duties and Powers of Probation Officers. It shall be the duty of a probation officer to make such investigations before, during or after the trial or hearing of any case coming before the court as the court shall direct and shall report thereon in writing. The probation officer shall take charge of any child before or after the trial or hearing when so directed by the court. The probation officer shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct the probationer and other persons responsible for the welfare of the probationer regarding same. Such officer shall keep informed concerning the conduct and condition of each person on probation under his supervision by visiting, requiring of reports and in other ways and shall report upon the progress of each case under his supervision at least monthly to the court. Such officer shall use all suitable methods not inconsistent with the conditions imposed by the court to aid and encourage persons on probation and to bring about improvement in their conduct and condition. Such officer shall keep detailed records of his work. He shall keep accurate and complete accounts of all moneys collected from persons under his supervision; he shall give receipts therefor and shall make at least

monthly returns thereof; such officer shall make such reports to the State Board of Charities and Public Welfare as it may from time to time require and shall perform such other duties as the court under whose direction such officer is serving shall direct.

A probation officer in the performance of his duties shall have the general powers of a peace officer. With the approval or under the direction of the judge of the court in which a probation officer is serving, such officer is authorized and empowered to act as probation officer over any person on probation transferred to his supervision from any other court and may act as parole officer over any person released from a correctional institution when requested to do so by the authorities thereof and when authorized so to act by the judge of the court in which such probation officer is serving.

Section 14. Support of Child Committed to Custodial Agency. Whenever any child is committed by the court to the custody of an institution, association, society or person other than its parent or guardian, compensation for the care of such child when approved by the order of the court, shall be a charge upon the county but the court may after issuance and service of an order to show cause on the parent or other person having the duty under the law to support such child adjudge that such parent or other person shall pay in such manner as the court may direct such sum as will cover in whole or in part the support of such child and wilful failure to pay such sum may be punished as a contempt of court.

Section 15. Selection of Custodial Agency. In committing any child to any institution or other custodial agency other than one supported and controlled by the state or in placing the child under any guardianship other than that of its natural guardians, the court shall as far as practicable select as the custodial agency an institution, society or association governed by persons of like religious faith as the parents of such child or an individual holding the same religious belief.

Section 16. Modification of Judgment; the Return of Child to Parents. Any order or judgment made by the court in the case of any child shall be subject to such modification from time to time as the court may consider to be for the welfare of such child, except that a child committed to an institution supported and controlled by the state may be released or discharged only by the superintendent or manager of such institution.

Any parent or guardian, or if there be no parent or guardian, the next friend of any child who has been or shall hereafter be committed by the court to the custody of any institution, association, society or person may at any time file in the court a petition verified by affidavit setting forth under what conditions such child is living, and that application for the release of the child has been made to and denied by the institution, association, society or person having the custody of the child, or that such institution, association, society or person has failed to act upon such application within a reasonable time. A copy of such petition shall at once be served by the court upon the institution, association, society or person having the custody of the child, whose duty it shall be to file a reply to the same within five days. If, upon examination of the petition and reply,

the court is of the opinion that an investigation should be had, it may, upon due notice to all concerned, proceed to hear the facts and determine the question at issue, and may return such child to the custody of its parents or guardian or direct the institution, association, society or person having the custody of the child to make such other arrangements for the child's care and welfare as the circumstances of the case may require.

Any child while under the jurisdiction of the court shall be subject to the visitation of the probation officer or other agent of the court authorized to visit such child.

Section 17. Appointment of Guardians. Whenever in the course of a proceeding instituted under this Act it shall appear to the court that the welfare of any child within the jurisdiction of the court will be promoted by the appointment of an individual as general guardian of its person, when such child is not committed to an institution or to an incorporated society or association, or by the appointment of an individual or corporation as general guardian of its property, the court shall have jurisdiction to make such appointment, either upon the application of the child or of some relative or friend, or upon the court's own motion, and in that event an order to show cause may be made by the court to be served upon the parent or parents of such child in such manner and for such time, prior to the hearing, as the court may deem reasonable. In any case arising under this Act the court may determine as between parents or others whether the father or mother or what persons shall have the custody and direction of said child, subject to the provisions of the preceding section.

Section 18. Examination and Treatment of Children Found to be Mentally Defective or in need of Medical Care. The court in its discretion, either before or after a hearing may cause any child within its jurisdiction to be examined by one or more duly licensed physicians who shall submit a written report thereon to the court. If it shall appear to the court that any child within the jurisdiction of the court is mentally defective he may cause the child to be examined by two licensed physicians, and on the written statement of the two examining physicians that it is their opinion that the child is mentally defective, feeble-minded, or epileptic, the court may commit such child to an institution authorized by law to receive and care for mentally defective, feeble-minded, or epileptic children, as the case may be. No child shall be committed to such institution unless the parent or parents or the guardian or custodian of such child, if such there be, are given an opportunity for a hearing.

Whenever a child within the jurisdiction of the court and under the provisions of this act appears to the court to be in need of medical or surgical care a suitable order may be made for the treatment of such child in a hospital or otherwise, and the expense thereof, when approved by the court, shall be a charge upon the county or the appropriate subdivision thereof; but the court may adjudge that the person or persons having the duty under the law to support such child shall pay a part or all of the expenses of such treatment as provided in section fourteen.

Section 19. Offenses Against Children; Responsibility of Parents and other Adults; Penalty. A parent, guardian or other person having the custody

of a child who omits to exercise reasonable diligence in the care, protection or control of such child causing it to be adjudged delinquent, neglected, or in need of the care, protection or discipline of the state as provided in this Act, or who permits such child to associate with vicious, immoral or criminal persons, or to beg or solicit alms, or to be an habitual truant from school, or to enter any house of prostitution or assignation or any place where gambling is carried on or to enter any place which may be injurious to the morals, health or general welfare of such child, and any such person or any other person who knowingly or wilfully is responsible for, encourages, aids, causes or connives at or who knowingly or wilfully does any act to produce, promote or contribute to the condition which caused such child to be adjudged delinquent, neglected, or in need of the care, protection or discipline of the state, shall be guilty of a misdemeanor.

Section 20. Jurisdiction Over Adults. Exclusive jurisdiction to try adults under the provisions of the preceding section is hereby conferred upon the superior courts and shall be exercised by the juvenile parts of such courts created in each county by this Act. Such courts shall also have jurisdiction to try any parent, guardian or other person responsible for the maintenance of any child who abandons or wilfully fails to support any child. Such courts shall also have jurisdiction to hear and determine cases in bastardy.

In dealing with any adults under the provisions of this section, the court shall have all the powers which have been and now are conferred upon any court for dealing with persons charged or convicted of any of the offenses named herein. In addition, the court may suspend sentence and place the defendant upon probation under the terms and conditions provided in this act for placing persons on probation.

Section 21. Powers of Other Courts. Judges of the superior court may in their discretion order that the referee be paid by the board of county commissioners out of public funds reasonable compensation for each separate case handled by such referee. The amount thus fixed by the judge of the superior court shall be a charge against the public funds of the county.

Section 22. Co-operation. It is hereby made the duty of every state, county or municipal official or department to render such assistance and co-operation within his or its jurisdiction or power as shall further the objects of this Act. All institutions or other agencies to which any person coming within the provisions of this Act may be sent are hereby required to give such information concerning such child to the court or to any other officer appointed by it as said court or official may require for the purposes of this Act. The court is authorized to seek the co-operation of all societies, organizations and individuals to the end that the court may be assisted in every way in the discharge of its duties.

Section 23. Rules. The court shall have power to devise and publish rules to regulate the procedure in cases coming within the provisions of this Act and for the conduct of all probation and other officers of the court in such cases. The court shall devise and cause to be printed for public use such forms for records

and for various petitions, orders, processes, and other papers in the cases coming within this Act as shall meet the requirements thereof, and all expenses incurred in complying with the provisions of this Act shall be a public charge.

Section 24. Repeal of Inconsistent Provisions. Chapter 222 of the Public Laws of 1915; chapter 4 of the Revisal of 1905, as amended, and all other laws or parts of laws inconsistent with this Act are hereby repealed.

Section 25. This Act shall take effect ————————

THE CROATAN CHILDREN OF NORTH CAROLINA

North Carolina has two small groups of Indian children, one at the Cherokee Reservation in Swain County, where some 200 children attend the government agency school, and a larger group, numbering 1,854 between 6 and 21 years of age in 1913-14, who belong to that tribe of romantic history known as the Croatans. The Croatans are a body of mixed-blood people who reside chiefly in Robeson County, although a few are found also in Bladen, Columbus, Cumberland, Scotland and Hoke Counties. According to tradition they are descended from the famous Lost Colony of Sir Walter Raleigh which disappeared from Roanoke Island in 1587. History records the fact that 120 English men and women who had been brought to the colony then known as Virginia, under the leadership of John White, disappeared completely between 1587, when White sailed back to England, and 1590 when he returned to learn their fate. It had been agreed that if the settlers left the island they would "not fail to write or carve on the trees or posts of the doors the name of the place where they should be seated." White found the word "Croatan" carved in "fair capital letters" on the doorpost and recognized it as the name of a friendly Indian tribe living some fifty miles up the coast who had before his departure invited the colonists to share their territory. He thought they had accepted the invitation but bad storms prevented the visit which he tried to pay them, and five other expeditions sent out later by Sir Walter Raleigh to try to locate his countrymen failed. England gave them up as dead. With them, it was supposed, perished little Virginia Dare, the first white child born in the new world.

But various travelers and explorers along the eastern coast in later years reported rumors that the colonists or their descendants were still living and when white settlers came into the middle section

of North Carolina in 1715, they found the ancestors of the present tribe of "Croatans" tilling the soil, holding slaves and speaking English. To this day certain obsolete English words and inflections are still in common use among the people and many of them bear the same names as those enrolled in the Lost Colony.

But the intermingling of white and Indian blood had produced a race which was neither Anglo-Saxon nor Indian, although until 1835 they were allowed to vote and tradition says that their children were permitted to attend the white schools so far as any such schools were established in the vicinity. In 1835 the right of the franchise was taken from all "free persons of color" and from this time until the adoption of the constitution of 1868 the Croatans were practically regarded as free negroes and were not allowed to send their children to the white schools. Although the franchise was restored to them by the Constitutional Convention of 1868 the tradition of racial inferiority persisted, and after schools were opened for the negro children efforts were made to compel the Indians to enroll their children with the blacks. This they absolutely refused to do and for 17 years the children of the tribe grew up without any instruction at all.

The federal government never recognized their claims to be included in the allotments of land made to other Indian nations, or to be provided with schools, but in 1885 the Legislature of North Carolina officially designated the group as the "Croatans" and gave them the right to establish separate schools for their own race. The fact that out of the enrollment of 1854 in 1913-14 there was an average daily attendance of 1,164 shows that the privilege has not been scorned.

A special investigator for the Commissioner of Indian Affairs, reporting in 1914, found most of the Croatans engaged in farming. He estimated that about one-fourth of them were prosperous or well-to-do, one-half poor, and one-fourth very poor but entirely self-supporting. The great need at that time was for an institution of higher learning to which the younger people could be sent.

Certain of the least fertile parts of Robeson County and the great swamp lands have for years been refuge for the lawless and their presence has not decreased the confusion resulting from race admixture. It was here that Henry Lowry, the "great North Carolina bandit" for ten years "defied the authority of the County, the State,

the Confederacy and the United States." One of the most degenerate families it was our lot to interview (see story quoted on p. 83 of this report) originally hailed from Robeson County and the markedly Oriental cast of feature which characterized them was popularly attributed to their supposed descent from "The old pirates."

However, within the last few years conditions have decidedly improved and while there can be no doubt that the Croatans have been unjustly treated in the past they have now a fair opportunity for education and self-advancement.

CHILD-CARING INSTITUTIONS

MARY ELIZABETH BARR

This is the most highly developed form of child welfare work in the state. In 1845 the first state institution was organized; the year 1872 brought the establishment of the first orphanage and since then the number of institutions has steadily increased. The county poor funds and the limited number of associated charities afford inadequate relief to dependent families in their homes. The policy of pensioning mothers that they may care for children at home has not developed as yet in any section. No agency in the state is known to the writer where children may be placed temporarily to board and later be returned to their parents when conditions in the home have improved. The need for establishing a central bureau where problems of the needy child may be analyzed and a remedy suggested and applied, is but dimly recognized. It is generally believed that when a child has been placed in an institution the most successful solution for all problems relating to its well-being has been attained.

Within the institutions children are gathered whose families are suffering from all manner of social diseases. Desertion, neglect, sickness, death, poverty, cruelty, crime and countless other causes have brought children to grow to manhood and womanhood in the children's schools, houses of correction, and orphanages of the state.

In the spring of 1918, 4,046 white and colored children were receiving care in the children's institutions and agencies of North Carolina. Of these, 887 were held in educational and correctional institutions supported by the state. One hundred and forty-nine white boys and girls and 158 colored were supported in the State School for the Blind and Deaf at Raleigh. Two hundred and eighty-five attended the North Carolina School for the Deaf at Morganton and 196 received care at Caswell Training School, the state institution for the feeble-minded. Two county reformatories report 36 delinquents and the Jackson Training School, built and

equipped by the state to accommodate 90 children, had strained its capacity to include 100 inmates.

By far the greater number of children receiving institutional care, approximately 2,475, were found in orphanages, of which two receive subsidies from the state, one is supported by the county, and the others are supported by contributions from churches, fraternal orders and voluntary contributions. Of these, 19 institutions receive white, and two, colored children. Children were being placed in private homes by the North Carolina Children's Home Society; figures regarding the nunber of children actually under the care of this society could not be procured but the number is estimated at about 600. Approximately 48 children received care in four rescue homes and only a few were received in almshouses and county homes. Of all these, the majority were American born and their families for several generations back had been reared in North Carolina.

What forces had brought these children into the institutions, what care and training they were given while growing to maturity, what ideals and convictions were implanted by the institutions which for the early years of a child's life meant "home," what service the boys and girls constantly entering and continually being released had subsequently rendered the communities in which they had settled—these and other questions had received no answer, and the more social-minded and inquiring citizens demanded a reply.

The cause of this restlessness centered largely in the absence of any representative body with authority to investigate children's institutions to see what was actually being done and inform the public of other methods which the state should provide to afford satisfactory care for the steadily increasing number of needy children. Until this time orphanages and correctional institutions had been accepted as in themselves the solution of every child's problem. No question had been raised as to whether this was the wisest manner of helping children and their families. Every institution carried on its work independently and no agency in the state coordinated the efforts of all or determined what results their labors had achieved.

The State Board of Public Charities, which rightfully should exercise supervision over such institutions, was unprovided with the

necessary authority. It had accordingly concerned itself chiefly with the affairs of prisons and convict camps and had made but little inquiry among the children's institutions. Each year this board requested institution superintendents to submit a report of their activities for the last fiscal year. These reports were published in the annual report of the State Board of Public Charities without any investigation.

This matter was brought to a head at the 1917 meeting of the General Assembly when the work of this board was re-organized and considerably extended. Upon the recommendation of the Governor a new board composed of 7 persons instead of 5—at least one of whom must be a woman—was styled the "State Board of Charities and Public Welfare." All must serve without pay except for expenses incurred in attending annual meetings.

In addition to its former duties, regarding which the board was given increased authority, it was charged with a large number of regulatory functions over the activities of all institutions. Its duties in connection with children's institutions are set forth in the following extracts:

EXTRACT FROM THE ACT COVERING BOARD OF PUBLIC CHARITIES

The Board of Charities and Public Welfare shall have power (1) to investigate and supervise through and by its own members or its agents or employees the whole system of the charitable and penal institutions of the State and to recommend such changes and additional provisions as it may deem needful for their economical and efficient administration. * * * (2) it shall have power to inspect and make reports on private orphanages, institutions and persons receiving or placing children, and all such persons, institutions and orphanages shall, before soliciting funds from the public, submit to the State Board of Charities and Public Welfare an itemized statement of the moneys received and expended and of the work done during the preceding year, and shall not solicit other funds until licensed by the State board, said statement of moneys received and expended and work done to be made each year as ordered by the State board, and said board, shall have the right to make all such information public. * * * (3) The Board shall further have power to issue subpoenas and compel attendance of witnesses, administer oaths, and to send for persons and papers whenever it deems it necessary in making the investigations provided for herein or in the other discharge of its duties, and to give such publicity to its investigations and findings as it may deem best for the public welfare.

Under Chapter 170 of the laws of 1917, section 3913 this Board was further empowered.

> To study and promote the welfare of the dependent and delinquent child and to provide either directly or through a bureau of the board for the placing and supervision of dependent, delinquent and defective children. * * * To recommend to the Legislature social legislation and the creation of necessary institutions.

The board was authorized to employ a trained investigator of social service problems to be known as the Commissioner of Public Welfare who should act in the capacity of executive. A commissioner was accordingly appointed and the former secretary of the board made his assistant. No clerical help other than the secretary was provided however, no staff of investigators engaged, no equipment supplied with which to conduct essential investigations nor to make possible certain necessary readjustments.

Besides the State Board of Charities and Public Welfare several other bodies hold a supervisory power over institutions. The State Fire Commission sends representatives to public and private children's institutions at regular intervals who go over the institutional buildings with the superintendent, study the best methods for fire protection and suggest ways by which these may be installed. The accomplishments of such a commission might be strengthened if written reports based on the results of their investigations were sent to the superintendents and occasional publicity given to dangerous conditions.

School work carried on within institutions should be carefully supervised by the State Board of Education. At present each institution carries on its work independently and those of the same character offer courses of study that are radically different. There are no fixed standards of preparation required of the teachers. All institutions should be compelled to conform to the standards laid down by the Board of Education for the public schools.

There is likewise no official connection between institutions or the State Board of Health. In special instances this board sends representatives to institutions for consultation and assistance but the relationship is purely advisory. No child-caring agencies except county institutions are supervised by county commissioners.

FINANCIAL SUPPORT

All institutions supported by the state are required to be visited by representatives of appropriation committees. These appropriation committees, one for the Senate and one for the House, are appointed by the Lieutenant-Governor and the Speaker of the House respectively. They are standing committees whose duty it is to go over the books and determine what appropriations should be granted public and subsidized institutions. All of the representatives are members of the General Assembly and naturally have but little time for making an analysis of the institutions and their resources, their weaknesses and the best methods of providing more constructive care to inmates. Their inspections are said to average from 2 to 4 hours.

They are supplemented by hearings at which those interested may appear, and the superintendents are always heard. The policy of making appropriations in this manner is radically defective and should be replaced by a carefully worked out budget system.

$210,000 was appropriated in 1917-18, for the four children's institutions which the state wholly maintains. $142,500 was appropriated for the care of physically defective children; $45,000 for mental defectives; and $22,500 for juvenile delinquents. Two orphanages for dependent children are subsidized by the state: the Oxford Orphan Asylum is given a yearly appropriation of $20,000 and the Oxford Colored Orphanage $8,000, making a total of $238,000 granted by the state for the care of defective, delinquent and dependent children, exclusive of bond issues for permanent improvements.

Private orphanages receive their support largely from voluntary contributions, church assessments and fraternal orders. Approximately $413,000* was expended by them for expenses incurred in 1917. The disbursements for three county institutions were nearly $12,000.† In all, then, $238,000 disbursed by the state, $12,000 by Forsyth and Buncombe Counties, and $413,000 by private orphanages result in a total expenditure of about $663,000 for the children receiving institutional care.

*Disbursements for the Presbyterian Orphan's Home are not included in this figure.

†Forsyth County Reformatory.
Buncombe County Reformatory.
Buncombe County Children's Home.

CLASSIFICATION OF INSTITUTIONS

For convenience in our study of child-caring agencies we will group them under three general heads, as follows:

Group I. Institutions for Defective Children.

(a) Physically Defective.
(b) Mentally Defective.

Group II. Institutions for Delinquents.

Group III. Institutions for Dependents.

(a) Orphanages.
(b) Home finding societies.
(c) Rescue Homes.

Under Group I there are four institutions. Blind and deaf white children attend separate institutions established at Raleigh. The only institution in the state affording care to the feeble-minded is situated at Kinston; this is for white children only; no provision has been made for colored mental defectives.

At the General Assembly of 1917 steps were taken toward establishing a North Carolina Orthopedic Hospital. An appropriation of $20,000 was granted by the state toward establishing this institution on condition that the same amount be contributed privately. This sum has been raised and a site of 28 and one-half acres bought at Gastonia. A board of nine directors has been appointed by the Governor. It is not intended that colored children will be cared for at this institution and no other action has been taken toward providing for them.

Group II includes only three institutions. All three care for boys. Jackson Training School at Concord is a state institution and receives children upon court commitment from every county. It has a waiting list of over 200 and is utterly unable to admit the large number of children committed. In consequence of this overcrowded condition two county reformatories have been established, one in Buncombe, the other in Forsyth. Jackson Training School is so overcrowded that judges are unable to commit many children who should go there and are compelled to put children on probation to relatives or temporarily appointed probation officers. This method has proved entirely unsatisfactory and there is tremendous need for the establishment of more reformatories by the state.

There is no general institution of this character where delinquent girls may receive care. Four rescue homes situated in the central and western parts of the state receive only girls who are expectant mothers and who have no means of support during confinement. The need of an institution for preventive work among delinquent girls is so great that it has been thought necessary to admit some children to private rescue homes who should be in reformatories. This has been done much against the judgment of persons in charge of these institutions. Where the policy has been followed it has been impossible to segregate very young girls from older women. The dangers resulting from this contact are apparent.

At the last meeting of the General Assembly it was proposed to establish an institution for girls similar to Jackson Training School for boys. There was considerable discussion as to whether this institution should provide for street women or for girls who were likely to go astray unless preventive measures were taken. The discussion resulted in an appropriation of $20,000 with which an institution for both classes should be erected. An additional appropriation of $10,000 was granted to cover expenses of maintenance for the first year. This institution is now established and in operation.

By far the greater number of children come under Group III. Nineteen orphanages provide care for dependent white children, two for colored. All are private institutions with the exception of those at Oxford which are subsidized by the state and that at Asheville which is a county institution. Four rescue homes caring for dependent mothers urge them to keep their children. When a rescue home feels convinced that it would be advisable to separate mother and child it places the baby for adoption in a private home, or enters it in an orphanage. There is but one agency in the state which devotes itself primarily to home finding.

SCHOOLS FOR DEFECTIVES

All State Institutions.

	Approximate Population
GROUP I.	
(a) Physically Defective.	
1. State School for Blind and Deaf, Raleigh.	
Blind Children, White Department	149
Blind and Deaf Children, Colored Department	158
2. North Carolina School for the Deaf, Morganton	285
(b) Mentally Defective.	
1. Caswell Training School, Kinston (White)	196

SCHOOLS FOR DELINQUENTS

GROUP II.

		Approximate Population
(a)	State Institutions.	
	1. Jackson Training School, Concord. White Boys	99
(b)	County Institutions.	
	1. Buncombe County Reformatory, Asheville (White)	20
	2. Forsyth County Reformatory, Winston-Salem (Colored)	16

INSTITUTIONS FOR] DEPENDENTS

GROUP III.

(a) Orphanages.

Subsidized Orphanages.

1.	Oxford Orphan Asylum, Oxford (White)	370
2.	Oxford Colored Orphanage, Oxford (Colored)	200

County Orphanages.

3.	Buncombe County Children's Home, Asheville (White).	38
	TOTAL	1,531

Private Orphanages.

4.	Alexander Home, Charlotte (White)	34
5.	Baptist Orphanage, Thomasville (White)	—
	Kennedy Branch, Kinston (White)	510
6.	Christian Orphanage, Elon College (White)	55
7.	Colored Orphans' Home, Winston-Salem	54
8.	Eliada Orphanage, Asheville (White)	40
9.	Falcon Orphanage, Falcon (White)	38
10.	Home for the Motherless Child, Patterson Springs (White)	12
11.	Methodist Orphanage, Raleigh (White)	240
12.	Methodist Orphanage, Winston-Salem (White)	133
13.	Methodist Protestant Children's Home, High Point (White)	44
14.	Mountain Orphanage Home, Balfour (White)	37
15.	Nazareth Orphan Home, Crescent (White)	45
16.	Roman Catholic Orphanage, Raleigh (White)	100
17.	St. Ann's Orphanage, Belmont (White)	25
18.	Thompson Orphanage and Training School, Charlotte (White)	80
19.	Odd Fellows' Home, Goldsboro (White)	145
20.	Presbyterian Orphans' Home, Barium Springs (White).	235
21.	Pythian Orphanage, Clayton (White)	40

		Approximate Enrollment
(b)	Home Finding Societies.	
	1. North Carolina Children's Home Society, Greensboro..	600
(c)	Rescue Homes placing out children (private).	
	1. Faith Cottage, Asheville (White).....	6
	2. Florence Crittenton Home, Charlotte (White).....	14
	3. Lindley Training School, Asheville (White).....	10
	Rescue Homes not placing babies.	
	4. Rest Cottage, Greensboro (White).....	18
	TOTAL.....	2,505

SCHOOLS FOR DEFECTIVES

History.

In 1845 the State School for the Blind and Deaf was established at Raleigh. As there were no institutions in the state designed to give care to blind children, those who attended were drawn from all parts of the state. Blind and deaf children occupied the same buildings, same dining room, and were separated only when they attended classes. Until 1868 there was no institution of this kind where colored children were received and educated. At this time provision was made for opening a similar institution for the care and education of colored blind and deaf mutes. This institution was also established at Raleigh at a considerable distance from the school for children of the white race. Both were placed under the same management and have remained so ever since. The enrollment of the white department increased so rapidly that it soon became impossible to give satisfactory care to so many children and it was decided to separate the blind from the deaf. This resulted in the establishment of a separate school for the white deaf, which was opened in November, 1894, at Morganton.

No steps were taken toward establishing an institution for the care of the feeble-minded until 1911. At this time the North Carolina School for the Feeble-minded was founded at Kinston. This institution has had a constant struggle to obtain a sufficient appropriation to cover its maintenance. Owing to the fact that no appropriation was made by the regular session of the General Assembly of 1913, it was necessary to suspend activities until an appropriation made by a special session in September, 1913, became available.

In 1915 the name of the institution was changed to Caswell Training School. By a great sacrifice the institution managed to carry on its work until the 1917 meeting of the General Assembly, when its appropriation was again threatened because, in the opinion of some members, the institution "was not a financial success." A small and entirely inadequate appropriation was finally granted but the attitude of the General Assembly, as well as of a considerable part of the people of the state, clearly shows how great is the need for awakening North Carolina to a proper sense of responsibility for the care of the feeble-minded.

Administration.

Boards of Directors for each of the state institutions are appointed by the Governor for varying terms of service. The Governor is *ex-officio* a member of each Board. The responsibility assumed in the directive and supervisory work carried on by these boards varies considerably but in general they assume little active responsibility. With the possible exception of the North Carolina School for the Deaf, the burden of the administration rests principally on the superintendent.

The state treasurer is *ex-officio* treasurer of all state institutions. All vouchers and warrants are drawn upon him at his office at the state treasury. An executive committee of the legislature is supposed to have these accounts audited each year. Investigation brought out the fact, however, that the accounts of the State School for the Blind and Deaf had never been officially audited by this examining committee of the legislature during the entire history of the institution. They had not been examined at the School for the Deaf 16 months previous to the time this institution was visited by the writer and had not been audited at Caswell Training School since August 1915. According to the statement of the steward at the State School for the Blind and Deaf he had never been called upon for an itemized account of his disbursements for any year. True, the larger number of bills were sent to the State Treasury and paid from there by check, but the loose manner in which accounts are handled affords considerable opportunity for the misuse of funds and it is to the interest of the honest official as well as of the state that adequate supervision be exercised.

In 1917 the state provided for a uniform system of bookkeeping

for all institutions, but up to this time no attention has been paid to the provision and no two institutions compute their per capita costs in such a manner that their results can be compared.

Compulsory Attendance.

All deaf and dumb children between the ages of 8 and 21 years are eligible for admission to the schools for the blind and deaf. Deaf children between the ages of 8 and 15 years are required by law to attend school for at least five school terms of nine months each. If the parents, guardians or custodians of any child refuse to send it to an institution for the deaf after they have received a written notice from the superintendent and executive committee of such an institution directing that the child shall be sent to the school of which they are in charge, they are subject to fine or imprisonment.

The law requires that the school census taker in each district shall transmit the names and ages of all blind children, together with the names and addresses of their parents or guardians to the county superintendent of schools, who in turn furnishes the information to the superintendents of the institutions upon their request. The law of 1907 requiring attendance of the deaf at educational institutions brought many children into the schools through action taken by county superintendents, solicitors and judges.

By an act passed in 1917 only two-thirds of all the children in Caswell Training School may be accepted as free cases. Special preference is given to feeble-minded children confined in county homes and to children whose mothers are forced to work for a living. The monthly fee of $18.00 which is exacted of the remaining one-third prevents the institution from accepting a great number of children who require immediate attention. These are consequently thrown back upon their communities as social burdens.

INSTITUTIONS FOR PHYSICAL DEFECTIVES

Plant and Equipment.

The time at which these institutions were established is reflected in the character and equipment of their buildings and their facilities for giving care.

The *State School for the Blind** occupies one city square in the residential section of Raleigh, Buildings are crowded into such a small space that little room is left for playgrounds and campus. All are of stone and brick construction, and with the exception of the boys' building, their interiors are of wood. They are heated from a central heating plant and lighted by gas. Open flames flared from gas jets and the odor of escaping gas was noticeable in many of the rooms.

A large congregate building containing the administration offices, school rooms, dormitories for 63 girls, and the home of the superintendent, divides the square into halves occupied by girls and boys separately. Many of the dormitories in this building are poorly lighted and ventilated. The basement play room for the younger children and recreation halls for older girls are not conducive to comfort or happiness. Galleries and covered ways connect this central building with the boys' home, with the central dining hall and conservatory, kitchen, storerooms and sloyd department. The boys' building is fire-proof and houses 86 boys.

In the dining room the children sit on small stools, and eat from tables covered with oil cloth; old and chipped granite dishes are used. Food must be carried out of doors and across a passage way from kitchen to the dining room. A separate building contains a steam laundry in need of complete renovation and houses the colored help on the second floor.

The Colored Department is situated in the negro section of Raleigh. Separate buildings of the congregate type accommodate boys and girls; an Industrial Building contains a central heating plant and laundry on the first floor, while workrooms where instruction in vocational training is given are above. None of the buildings are fire-proof. They are heated by steam, lighted by gas and equipped with modern fixtures throughout.

Sixty-eight blind and deaf girls occupy the girls' building. Their dormitories are clean and well lighted; their building was in excellent condition as far as cleanliness was concerned. Sanitary arrangements although clean, were badly in need of repair.

There are similar sleeping arrangements for the 90 boys in their home across the street. Older boys sleep in rooms containing four beds each on the third floor of the boys' building. Younger boys occupy dormitories on the lower floors. A basement dining room, used by all, is dark, poorly ventilated and equipped. Kitchens are inconveniently situated. A dark, poorly drained refrigerator and dark ill-ventilated store room provide unhealthy quarters for storing food.

The *North Carolina School for the Deaf* at Morganton is without doubt the best institution in the state for the care of defective children. It is located in the foothills of the Blue Ridge Mountains on 327 acres of land, 100 of which are under cultivation. Four large carefully constructed and well equipped buildings are used for school and living purposes. Although

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* A new school for the white blind is now in process of construction. It is to be built on the cottage plan and will cover 85 acres of land in the suburbs of the city of Raleigh.

the buildings are of the congregate type there is a reasonable absence of institutionalism in the school.

One hundred and eighty boys and girls occupy separate wings in the administration building. Here older children of the same sex sleep in small dormitories containing from four to six beds. Intermediate children sleep in large dormitories below. All sleeping quarters are light and well ventilated and not overcrowded. Toilet facilities adjoining the dormitories on each floor are in reasonably good condition although considerable odor was noticeable in the boys' dormitory. Study halls, recreation and dining rooms and kitchens are situated on the first floor of the main building.

Goodwin Hall erected in 1911 is the latest addition to the institution. The building is well arranged, clean, sanitary and comfortable. Although 102 children live here there is little institutionalism. Except for the play rooms which were scantily furnished, all the rooms were attractive and suitable for children. Classes for beginners are held in Goodwin Hall in rooms especially designed for the purpose. Older children attend the school building which is of brick and three stories in height. It is well lighted and plentifully equipped with school materials. These buildings, together with the industrial building, which was formerly the power house and has been remodeled and enlarged, complete those used exclusively by the children and faculty.

At the last meeting of the General Assembly an appropriation was granted for the purpose of constructing a hospital. Plans for putting up this building were under way at the time the institution was visited.

Fire Protection.

The boys' home in the white department of the State School for the Blind and Deaf at Raleigh is the only fire proof building in the institution. Fire extinguishers were provided years ago but not replenished. Extinguishers in the School for the White Blind were in bad repair and those in the colored department were said by the principal not to have been refilled with new chemicals for the last twelve years. The white department in particular, as well as the colored department, have been condemned by the State Fire Commission for many years.

Little emphasis is laid on fire drills. During recess every Friday morning drills are held in the School for the White Blind. No alarm is sounded. It is the custom for girls to go to their rooms at an appointed hour and slide down the enclosed cylindrical fire escape. The fire gong in the boys' building has been broken for some time. The matron therefore raps on the floor with her stick and summons the waiting boys downstairs.

Drills such as these are a farce and would prove of little value

in case of fire. For the last several months the colored department has discontinued any form of drill. Both here and in the white department it is felt that if drills should be called unexpectedly at night many children would become terrified and probably be hurt. The fact that if this were a regular practice and each child taught exactly what to do in case of alarm the whole building could be emptied quietly and in an orderly manner seems to be entirely overlooked.

Drills are not held at the North Carolina School for the Deaf. It was explained here that "Teachers know what to do in case of fire." This does not excuse the negligence of permitting 282 deaf children to live in non-fire-proof buildings without suitable fire protection.

Health.

This is so important a factor in influencing the disposition and actions that the condition of children is often responsible for their failure and misconduct. We know that a wide range of physical ailments have been caused by decayed teeth; that adenoids have retarded development; that hookworm disease creates general indifference and shiftlessness and that moral weaknesses have often been the result of mental inability. If it were understood in the first place that a child was ill or weak-minded or defective, much useful energy would be saved and the child would be put into the hands of the proper agency immediately. An institution proposing to carry on constructive work must require a thorough examination of the physical and mental resources of its inmates as a foundation for intelligent treatment.

Many institutions require a doctor's certificate testifying that a child is free from disease and mentioning any weaknesses which should be remedied before it is admitted. The institutions for defectives have no information regarding the physical and mental makeup of their charges when they come to them, other than that they are blind or deaf. Obviously the first duty of the institution is a careful diagnosis of the mental and physical resources of each child. Examinations should be given by a doctor or a nurse and complete records kept of the exact condition of the child when it enters. These records should be kept on file for constant reference by doctors, nurses, supervisors and teachers, and all physical and

mental changes as well as diseases, treatments, etc., should be added to the physical record of the child.

> A physical examination of every child who enters the white department of the School for the Blind is made by a physician and supervisor. If signs of communicable or infectious diseases appear the child is put into detention quarters. As no records are kept of the examination it is impossible either to tell how thorough the examination is or whether or not the difficulties which should be remedied are followed up and corrected. The superintendent was uninformed as to what was included in the examination, and could give no information regarding remedial treatment. Eye, ear, nose and throat examinations are given by three specialists. The doctors keep satisfactory records of the examination of each child. Duplicates of these records are not filed at the institution. Records show that considerable correctional work is done and all treatments are recorded on blanks provided for the purpose.
>
> The same plan is followed for inmates of the colored department.
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> The North Carolina School for the Deaf makes no effort to study and remedy physical defects of its charges. No examinations on admission are given, other than a hasty scrutiny at bedtime the first night a child enters the institution. The school maintains the position that it is an "educational institution and not a hospital." No examination of the causes leading to deafness or remedial treatment for those whose hearing can be restored or improved is given. No health records are kept.

Such information as height, weight, endurance, condition of the spine, heart and lungs, etc., for each child is not recorded in any of the above institutions. Running histories of the physical condition of each child, its changes in weight, height, diseases passed through while in the institution, etc., are not kept. Emphasis seems to be laid on contagion only.

The same is true of mental deficiencies. No mental examinations are given before or after admission, although steps have been taken toward this in the School for the Deaf. Institutions are handicapped in their work by feeble-minded cases and in at least one school it has been necessary to establish a "backward class." Superintendents and teachers all report feeble-minded cases as well as a number of backward children suspected of being mentally deficient.

A dentist is not regularly employed on the staff of any institution and it is not a practice to have teeth periodically examined and cleaned. Only "necessary dentistry" is given. An appropriation for dental purposes was formerly granted by the state to the School for the Blind but has been discontinued.

The superintendent of one institution said that the teeth of the children were "in frightful condition and badly in need of cleaning." The appropriation he was granted for maintenance was so small, however, that he could employ no paid dentist on his staff.

An institution informed the visitor that less than half the children had tooth brushes. It was found that among 68 boys there were 34 brushes. Forty-two of the smallest boys used 6 brushes among them. No place was provided for keeping these brushes and search revealed one stored in an old shoe, several in coat pockets and the rest scattered among the children's clothing.

Each school for defectives has a physician employed on a salary basis. None have a resident physician or registered nurse. At Morganton a general practitioner comes on call. The School for the Blind has the services of three specialists.

The North Carolina School for the Deaf is the only institution where steps have been taken to establish a hospital building.

Both departments of the State School for the Deaf and Blind have isolation wards. That in the colored department is situated in a wing on the second floor just above the schoolrooms in the girls' building. The isolation ward in the white department is located on the top floor of the main building. Diet kitchens are not connected with either of these isolation wards.

Recreation.

No place is better than the playground for finding the keynote to a child's character. The addition of a play director to encourage some and repress others, to develop habits of usefulness, consideration and co-operation among fellow playmates is of great value to the staff of any institution.

All state institutions are supplied with playgrounds and some play equipment. The wide lawns and terraces of the School for the Deaf afford natural resources for the children to enjoy. Playgrounds of the colored department are supplied with some play equipment but the recreational facilities as a whole are meager.

The grounds of the white department of the School for the Blind are so filled with institutional buildings that little space is left for play purposes. A few swings, see-saws and merry-go-rounds are used by younger girls while older girls must confine their exercise to the walks surrounding their building. A scant three-quarter-acre playground for the younger boys affords cramped quarters for running and jumping. Older boys use the cement

walks surrounding their building for exercise. A large and well equipped gymnasium is used by the older and younger boys on alternate mornings from 5:30 to 6:00, but never by the girls.

Recreation and social life are cultivated to a greater extent in the School for the Deaf than in any other children's institution visited. Provisions for recreation here are simple. They could be adopted easily by other institutions.

> Directly after breakfast every morning, each boy in the institution who is physically able, participates in three-quarters of an hour of vigorous drill in the open air. Military officers are appointed by the drill master each fall from among the honor boys. These officers constitute the "Sterling Club," a self-perpetuating body of 12 boys who establish and control the standards of boy life in the school. An annual budget of $100 is granted this club by the institution and is disbursed among members as rewards of merit according to the faithfulness and efficiency with which they have fulfilled positions of responsibility during the year. A Junior Sterling Club occupies a similar position or responsibility among the younger boys.
>
> An enthusiastic band of Boy Scouts occupy club rooms similar to those consigned to the officers. Last spring the Boy Scouts made a clearing in the woods at the foot of one of the mountains and built a camp. Every boy, or group of boys, who wished was permitted to build his own hut of logs. During the warm weather week end expeditions were made to the camp. The girls in the institution organized a group of Camp Fire Girls last spring.
>
> The Fepha Club composed of 12 honor girls holds a position of responsibility among girls similar to that of the officers among the boys. This club is indirectly controlled and supervised by the faculty.
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> Debating and literary work are carried on in connection with school work. "Movies" are held in the auditorium of the institution; boys and girls participate in outdoor games of basket and volley ball and girls receive instruction in physical culture several times a week. Three times a year parties are given in which both teachers and pupils participate. Occasional informal functions are held.

Activities such as these break the monotony of institutional life and keep children happy and contented. They go far to counteract institutionalism and substitute a normal, happy child life.

Educational and Vocational Training.

The state classifies the schools for the blind and deaf as educational institutions. Children arrive here for enrollment in the fall and remain until after commencement in June.

School work is the primary consideration of the superintendent.

Special training for teaching defective children is required of the teachers employed in the School for the Deaf. This should be required in every institution for defective children.

> The principal of the School for the Deaf has had five years previous experience in some of the best schools of this country. An excellent course of study is followed in this institution. Thirty-one teachers, all of whom have been especially educated for teaching deaf children are employed on its staff. Their work is carefully supervised by the principal and satisfactory school records for each child are kept and filed for reference. Primary classes are conducted in Goodwin Hall by teachers carefully chosen for their ability in handling little children. More advanced classes are held in the main school building. All class rooms are light and well ventilated, attractive and adequately equipped. There are no evidences of over-crowding. The spirit among children toward their work and toward their teachers is excellent.
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> School work among the children in the State School for the Blind and Deaf is under the direction of a young man who has had no special training for teaching defectives and his time is divided between his duties as principal and as steward of the institution. School rooms in both white and colored departments of the school buildings are situated on the lower floors of the girls' building. The kindergarten and primary department for white children is well-equipped and conducted in convenient school rooms. In the colored department, however, there are few facilities for giving children proper care and the rooms are greatly overcrowded.

A normal class where children are taught how to teach the deaf is open to boys and girls at Morganton. Boys may receive industrial training on the farm, in the print or wood shop, or in the broom or mattress factory. Girls are taught domestic science, sewing and some laundry work. Although the opportunities for vocational training in both institutions are good, no attempt is made to find work for the inmates during their vacation or after graduation. A vocational agency composed of members of the faculty would do much toward placing children in happy surroundings as well as making them self-supporting after graduation.

CARE OF MENTAL DEFECTIVES

According to the report of the Bureau of Census in 1910—the last report which has been issued—there were 510 feeble-minded persons then receiving care in the almshouses of North Carolina.

No estimate has been made as to the number employed in convict gangs, working on roads, the number in prisons, reformatories and other institutions, or of the very young and those of school age. A survey of the latter conducted by the state Board of Education would afford valuable information on which to estimate what care for the feeble-minded children in the state would be adequate.

Practically all of the orphanages visited complained of the number of feeble-minded children who had sifted in, despite the efforts of the superintendents to exclude them. As none of these institutions make it a practice to give mental tests either before or after admission, accurate figures regarding the number of feeble-minded could not be obtained. In the orphanages where numbers were estimated, 119 of the total number of children receiving care were thought by the superintendents and teachers to be feeble-minded and in evident need of specialized institutional care. The superintendents of the schools for the blind and the deaf stated that in their opinion they cared for about 48 feeble-minded during the school year 1917-1918.

Caswell Training School is the only institution in the state which gives care specifically to the feeble-minded. This institution can comfortably accommodate 150 but at the time of the writer's visit its capacity had been stretched to accommodate 196. There was a waiting list of over 200 at that time and according to a very conservative statement of the superintendent from 5,000 to 6,000 in the state were in immediate need of treatment.

The capacity of the buildings is so small that only the most helpless cases can be accepted. The institution is filled almost entirely with idiots and imbeciles and a few morons. It is consequently impossible to accommodate the most dangerous class of defectives—the high grade moron. The mental and moral weakling pays a prison penalty for an act for which he should not be held responsible. The mentally incompetent girl, who to the casual observer is only "dull" or "queer," is allowed to run at large, to reproduce her kind. She is a menace to society.

The recent action taken by the General Assembly permitting only two-thirds of the inmates in Caswell Training School to receive free treatment tends to place the deciding factor as to whether or not a child shall be accepted on the financial status of the family instead of on the most urgent need of society. This either forces

defectives into institutions that are not designed for their care or permits feeble-minded persons to increase their number unchecked.*

Anna B.* aged 40 is feeble-minded. She was born out of wedlock and has herself never married. Two children, John T. aged 5 years and Catherine aged 19 years, have been borne by her. John T. is feeble-minded and a deaf mute. Catherine is deaf and almost dumb, and believed by the County Health Officer to be about 50 per cent under normal. She gave birth to an illegitimate boy who was 18 months old at the time this information was procured and who was unable to walk or talk. All of the above have abnormally shaped heads. They are under height and under weight. For over a year this family has been cared for in a county home at public expense.

Joe Moore† and his wife Fanny were both mental defectives. Fanny bore six children, Mary, Joe, Bob, Jenny, Tessie and one who died in infancy. All are mentally and physically defective. Mary married a normal man and all their five children appear to possess normal faculties. Joe married a feeble-minded woman. He also had five children. They were all mental and physical defectives. Bob had never married. Three children have been borne by Jenny whose husband is an ex-convict. One of these children appears bright, the other two defective. Jenny's husband has been serving a sentence in the penitentiary for some time past and she is now pregnant by another man. Tess, the youngest of the family, is united in marriage to a man who has spent several years in the State Hospital for the Insane. This couple have two children, Aaron aged 19 years and Peter aged 17 years. Peter is a chronic epileptic. He is feeble-minded, a deaf mute, has no control over himself and exhibits criminal tendencies. He is confined in a county home. When Aaron was last heard from he was being held in jail awaiting trial on charges of burglary and assault.

The union of Joe and Fanny has already resulted in the birth of 16 defectives, 15 of whom are living and are allowed to propagate their kind. As there are no laws in the state to force men or women of reproductive age into an institution where segregation of the sexes would be rigorously enforced, such families as the above remain free to increase their number; furthermore, they would be wholly unable to meet the monthly sum of $18 for care. A mistaken sense

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*Before this policy of the General Assembly was adopted practically all of the inmates of Caswell Training School were receiving free care. As the parents of the majority of these were unable to pay anything toward their support and the institution obviously could not turn its inmates into the street, they have been kept on. This accounts for the fact that 140 inmates are now receiving free care. The remaining 56 pay rates ranging from $1 to $18 per month, bringing a total revenue of $322.66. Henceforth no more free cases can be accepted until the proportion complies with the law.

†Fictitious names.

of social values complicated by inadequate housing facilities permits the multiplication of the feeble-minded and lowers the standard of the whole state.

The co-operation and interest of a board of directors in close communication with the superintendent is productive of the best results in any institution. Frequent visits from board members as well as other supervisory bodies, as the State Board of Charities and Public Welfare, serve as a further stimulus. Their practical understanding of the problems peculiar to the institution enable them to give intelligent advice and recommendations for practical improvements and methods of raising the standards of care. This relieves the superintendent, whose time is fully occupied with the daily routine of institutional affairs, and contributes much toward the success of the institution.

Caswell Training School occupies 904 acres on a rising slope of ground about two miles from the center of Kinston. The buildings, though comparatively new, are badly in need of repair and should be thoroughly overhauled and renovated. They obviously were planned by architects unaccustomed to the substantial type of buildings which an institution for the care of mental defectives requires. Lath and plaster, floors, windows, bathing and toilet facilities have been torn away by the restless fingers of the inmates, and leave the institution in constant need of repair. There are separate buildings for boys and girls and an administration building which contains, besides the executive offices, a central dining room where high and low grade defectives meet for meals, kitchens, pantries and living apartments for many of the teachers and help. A hospital or imbecile building is situated a little to the rear of the above and affords the only means for separating high and low grade classes.

None of the buildings are fireproof. Beds are crowded into dormitories so thickly that it would be utterly impossible to move them far enough away from the doors leading to the fire escapes to permit a speedy exit in case of fire. The water supply is so scant that it would prove practically valueless in fighting a serious fire.

The institution depends for its water supply upon three artesian wells, one of which is not flowing. These wells supply a reservoir from which water is pumped into a tank with a capacity of 50,000 gallons a day. This is just half the amount estimated by the super-

intendent as essential for sanitary purposes. The shortage of water prohibits cleanness of the buildings. Bathing among children is restricted and toilets can be flushed but twice a day and once at night. Bathrooms are in a most unsanitary condition and bodily cleanliness is often impossible.

School is conducted in cramped and inconvenient rooms situated in the girls' building. There is one schoolroom in the boys' building. Girls and boys who are able attend school separately in morning and afternoon sessions. A faculty of three consisting of a principal, an intermediate and kindergarten teacher, and a music and primary teacher, work at a great disadvantage because of poor facilities and lack of proper equipment. Regulations adopted by the Federal Bureau of Education require one teacher to every 20 defective children. The number of children to a class should decrease in proportion to the declining degree of their mentality. There were only three classes in which the regulation number was not exceeded.

It is a well recognized fact that the mentally defective child learns more with his hands than with his head. His future is far more a matter of manual than of mental dexterity. Industrial training is given to only slight extent in Caswell Training School; in fact the greater number of inmates are so low grade that they are wholly unable to participate in the daily tasks about the institutions and can thus contribute nothing toward its maintenance. The few who are at all responsible do a little sewing or assist in the farm and garden.

Eventually Caswell Training School must be enlarged to make room for all classes of feeble-minded. Remunerative occupations which children would enjoy and which would contribute at the same time to the institution's financial support should then be installed. Experience has demonstrated that bootmaking, tailoring, carpentry, basket weaving, mat and brush making, and chair caning work are among the more remunerative occupations which boys are capable of learning. Girls can grasp the essentials of cooking, laundering and basket weaving.

The need for satisfactory separation of high and low grade inmates is already pressing. The only place in the institution where any provision is made for this is the "Imbecile Building."

This is but a stone's throw from the other buildings and the

crippled and deformed figures of many inmates occupying the galleries and verandas through the long summer days are in constant sight of inmates of higher mentality. All of the imbeciles cannot be accommodated even here and the overflow of boys must be housed on the second floor of the boys' building. The bathrooms here must be used during the day for the confinement of three incorrigibles; one an epileptic, as there is no room for them elsewhere. These children are worse than helpless. They require constant care and their inarticulate chatter and cries can be heard all over the grounds. Imbeciles who are able to help themselves meet with higher grade inmates in the dining room and in chapel.

There are also children in Caswell Training School who are anxious to learn; they are eager and affectionate and crave sympathy and kindness as do normal boys and girls. Some are ambitious and very proud. They are sensitive about their condition and strongly resent being called feeble-minded—constantly they come to the teachers with the question "Am I feeble-minded like these?"

Such conditions cannot in humanity be permitted to continue. The capacity of Caswell Training School must be increased, new buildings erected and sanitary precautions provided. A proper segregation of high and low grade inmates is essential and the burden on the superintendent should be relieved by an adequate staff of capable workers.

INSTITUTIONS FOR DELINQUENTS

Stonewall Jackson Training and Industrial School, Forsyth and Buncombe County Reformatories provide care for juvenile delinquents. Jackson Training School is a state institution and receives an annual appropriation of $22,500 from the General Assembly. Children are received here by court commitment from every county in North Carolina. Two county reformatories, one at Asheville, the other at Winston-Salem, are supported by the counties in which they are located and in the year 1917-18 received appropriations of $2,965.20 and $5,028.66 respectively. Only children living in Buncombe or Forsyth Counties are eligible for admission to these institutions. The scope of work in each of the above may best be judged by the following descriptions of their facilities and of the care afforded inmates.

Jackson Training School, as Stonewall Jackson Training and Industrial School is commonly called, was authorized and created by the General Assembly in 1907 as a charitable and penal institution. It does not, however, function entirely as the latter. Its aim is rather to encourage boys to lead clean lives, mentally, morally and physically; to form constructive habits, be truthful, obedient and industrious. It is controlled by a board of 15 trustees, part of whom will be appointed by the Governor as long as the state appropriates not less than $5,000 a year. The remainder of the trustees are elected by the board. The school is supported mainly by an appropriation granted by the state which is supplemented by the Kings' Daughters and by voluntary contributions from the public.

The superintendent is elected by the board of trustees. He is authorized to employ his staff and is in direct control of the institution. The present superintendent is well adapted to the duties of his office and it is clear that he understands boys and takes an individual interest in the problems of each. According to law he is vested with the same authority over inmates as parents are given over their children. An atmosphere of obedience, courtesy and cooperation prevails throughout the institution.

Jackson Training School is equipped to care for 90 boys. At the time of visit 100 were there. Children are committed by superior, county and recorders' courts. No investigation of home conditions or causes leading to the child's delinquency is made by the institution and except for bits of information dropped by the boy, the superintendent has little knowledge of his life or family. A register incompletely filled out provides practically the only information other than commitment papers. The register contains the following facts:

Date of admission—Name—Date of birth—Age—Address—Offence for which committed—Physically defective—Grade—Habits—Nativity—Habits of father—Habits of mother—Attendance at Sunday school—Father or step-father living—Mother or step-mother living—Social condition, education, occupation and religious affiliations of both parents—Occupation of the boy—Honorable discharge—Attempt to escape—Date of parole.

No physical examinations or mental tests are given boys upon admission. Because of this a large number of inmates for whose

care the institution is not designed, and who should be receiving specialized treatment are admitted.* There is no isolation upon admission.

Children are discharged at the discretion of the superintendent. If the boy's parents are living he is returned to them. No investigation is made of these homes and no parole officer is employed. Work is not found for boys upon leaving the institution and the only manner of following up discharged inmates is through correspondence. Every boy is expected to write the superintendent once a month for the first year after he has been discharged.

Lack of adequate investigation of the homes to which the boys are returned forces many into the same surroundings which have caused their delinquency. A study of the homes from which boys in Jackson Training School have been committed illustrates the grave danger in which lack of investigation and follow-up places inmates after leaving the institution. The story of George B. is illustrative of the dangers to which children are exposed by returning them to relatives without previous investigation.

> Mr. B., George's father, is a paralytic. For many years he has been shiftless, lazy and unable to hold a job. He is now trying to secure admittance to the County Home. Mrs. B. consorts with men and boys of rough character and her reputation is considered questionable. Members of her family are known to have kept disorderly houses.
>
> Mr. and Mrs. B. have six children, three boys and three girls. Frank, the oldest, was sent out to beg as a child and was frequently picked up by the police. He has now been drafted but deserted twice. Martha and Sally, twin sisters 18 years of age, each have long police court records for vagrancy and are now in charge of the Girls' Protective Bureau at Greenville. George was committed to Jackson Training School in February, 1918. His little sister went to a home-finding society. One brother is making a decent living.
>
> This is the sort of "home" to which George will probably return unless a thorough investigation of family conditions is first made.

Jackson Training School is located on 298 acres of land situated 700 feet above sea level among the foothills of the Blue Ridge mountains. The buildings are surrounded by an attractive campus and there is a three-acre athletic field which is equipped with swings,

*In the superintendent's opinion, 5 of the 100 boys in the institution were above normal mentally, 59 were normal and 35 subnormal and probable subjects for Caswell Training School.

bars, running track, pole vault apparatus, hurdles and a base ball field. The greater part of the land is under cultivation.

All buildings are of red brick, lighted by electricity and heated by steam. They are comfortable, attractive and well designed for their purpose. A large administration building contains the executive offices, superintendent's home, living quarters for the faculty and matrons. Three cottages, two stories and basement in height, accommodate 30 boys each. A fourth cottage has been built and is partially furnished, but owing to lack of funds for its upkeep it is unoccupied. All cottages are built on the same plan.

On the first floor a large and comfortable study hall serves as a general assembly room. Meals are served in the dining room of each cottage. Boys sleep in single beds in large, well ventilated and attractive dormitories on the second floor. Toilets, lavatories and showers are located in the basement. Every boy is required to bathe twice a week. Although individual towels are provided, proper provision is not made to prevent confusion. No tooth brushes are provided.

An industrial building contains wood shop and printing press on the first floor. These shops, together with farm work and some business training are the only opportunities for vocational training afforded. The second floor of the industrial building is equipped for school purposes. Two young men, the principal and his assistant, give instruction as far as the eighth grade. The institution uses the books prescribed by the state Board of Education for the public schools. Every boy attends school four hours every day during the year except Sundays. As an incentive for better work, medals and small sums of money are given as rewards to honor students.

A small church or chapel has been built by the Kings' Daughters. This building is only open Sundays when ministers from Concord conduct church and Sunday School. The building was given with the understanding that no entertainments, debates or school activities other than of a religious nature should be given here.

With its limited equipment the care given inmates while in Jackson Training School is good. But there are a number of imperative needs. Of these, a dairy, a proper storeroom for supplies, a refrigerator and ice plant, a suitable laundry, adequate quarantine facilities and a new school building are the most important.

The absence of parole officers to supervise and follow up inmates after release is the most serious omission. The greatest need is a parole officer to follow up boys after discharge.

The number of state reformatories for boys should be increased. A reformatory for the colored should be established and the reformatory for girls which is already begun should be completed at the earliest possible moment.

County Reformatories.

Buncombe County.

This has had a reformatory for white boys since 1911. It was erected by a special act of the General Assembly and is under the control of the county government. Boys are received only on commitment from Buncombe County juvenile or superior courts. As the juvenile court has jurisdiction only over the city of Asheville, children from the county outside the city must await trial by the superior court. Such cases are fortunately very few. A formal order of commitment from the court is the only legal paper which accompanies the boy to the reformatory. A ledger record is kept at the institution showing the name, age, offence, date when received and date when discharged. This, with the school record, is the only information on file.

Although a probation service has been developed which gives the child every opportunity for making good before he is put into the institution, no plan has been worked out for investigating conditions in the home to which he will return after discharge, and he is unsupervised except as he reports to the superintendent. Parole service should be developed in connection with the institution along with the probation work already practiced.

Nineteen boys were present at the reformatory on the day it was visited. They lived in one small frame farmhouse and in tents. During the summer months this arrangement is not so undesirable, but in winter time, even a North Carolina winter, it means considerable discomfort and some exposure. During the unusually severe winter of 1917-18 it was necessary to give up tents altogether and crowd the boys into the small school building and farmhouse. Only the splendid management of the superintendent could have made this arrangement even tolerable, but the reformatory is for-

tunate in its employees, and the winter passed without serious sickness or mishap. The condition should not be repeated another year, however. Plans are under way for the construction of a large dormitory, but the difficulty of securing labor and building material has delayed the beginning of the actual construction.

The superintendent is a farmer with a real gift for managing boys. Both he and his wife are particularly well fitted by temperament and personality for the position they occupy. A woman teacher lives at the reformatory and is on duty nine months of the year. Each boy attends two sessions of school daily during this period. Books and school equipment are furnished by the county. The school building is a frame structure. It is stove-heated and it corresponds in general to the ordinary one-room school. No special effort is made to relate academic work with tasks assigned to the boys about the farm.

All boys receive practical instruction in farm work at the hands of the farmer, but are given no scientific or technical training. The number of boys is so small that it is possible to shift them about from one special task to another and it is safe to say that each receives about the same kind of treatment as the son of the good farmer in Buncombe County. The boys also assist in various household duties. Some instruction in telegraphy is given.

Baseballs and bats, piano and games of various sorts, give opportunities for recreation. The superintendent intends to construct a concrete swimming pool which will be fed by springs in the hills. Each day a time is definitely set aside for play.

Colored boys in Buncombe County are sent to the county home; conditions there are described in the section on Delinquent and Dependent Children, page 39.

Forsyth County.

Three Forsyth County institutions, the almshouse, the tuberculosis sanitarium, and the reformatory are grouped about a central heating and lighting plant in the open country a short distance from Winston-Salem. The buildings are not close enough together to enforce a disagreeable proximity upon the inmates and considerable economy in operation is obtained by their nearness to each other. All are entirely under the control of the Board of County Commissioners.

Boys come to the reformatory only on commitment from the recorder's or the superior court, chiefly the former. The records are kept in a loose leaf ledger under the following heads: Name—Number—Color—Age—Date received—Received from—Offence—Term—Number of offence—Conduct—Date ran away—Date returned—Date discharged—Went to. The superintendent of the reformatory is required to submit a monthly report to the county commissioners which lists the number of inmates present at the last report, the number admitted, discharged or escaped during the month and the number now present, together with certain other information as to condition of crops, number of days worked, value of produce sold, etc. Both sets of records were in good condition.

Until 1917 boys were committed for definite terms only. With the passage of the indeterminate sentence in the prison reform bill, judges of the superior courts began to apply the principle to juvenile delinquents also, and the most recent commitments to the reformatory have been for an indeterminate period. This arrangement bids fair to be particularly successful in Forsyth County, because the recently appointed full time probation officer is working out a parole system for the reformatory which will permit the discharge of a boy only when his home surroundings have been pronounced fit for his return or when, under supervision, he can be trusted to take a position. The system will work in two directions, facilitating discharge when the family circumstances are favorable and hindering it when there would be danger of exposing the boy to renewed temptation.

The reformatory, standing in a little grove of trees by the side of the road, would present rather an attractive appearance were it not for the large sign which labels it for the information of the passerby. The building is of red brick, two stories high, on the dormitory plan. It is electrically lighted and steam-heated, with modern plumbing.

Originally both white and colored boys were sent here but since Jackson Training School has been available few white boys have been committed to the county reformatory. At the time of our visit none were present and there had been none for several months.

Separate wings have been built for dormitories for the two races. One is now unoccupied. It would afford a good means to separate the younger from the older boys at night. The dormitories are equipped with single cots. No gowns are provided and

there is only one sheet on the beds. On the morning of our visit the order was bad. Toilets and tubs were very dirty. Boys were supposed to make their own beds and to keep the dormitory in order, but their efforts at housekeeping showed the need of better direction and closer supervision.

All boys are required to bathe twice weekly. Clean clothing is furnished them once a week. The reformatory provides blue denim shirts and overalls for daily wear and special clothing for Sunday.

Until Christmas time the county paid $25 a month for a school teacher at the reformatory. The white boys attended classes for three hours in the forenoon two days a week and the colored boys spent the same time at study on alternate days. A good schoolroom has been fitted up by the county in one end of the building. Since December 1917 the school has been discontinued and the boys spend practically the whole time at farm work. The farm buildings are in good condition, the land is fertile and under careful cultivation it would make the institution more nearly self-supporting. On the day of our visit all the boys were out "building roads." They were working in relays, shifting frequently, one group resting by the side of the road while the others worked. But at best this was heavy labor and the younger boys, among whom were two frail children, certainly should not be expected to swing even their small-sized pickaxes for several hours at a stretch.

On the whole the boys at this reformatory received better treatment than any other group of delinquent colored children visited. But it is a great mistake to miss this opportunity of giving them at least the rudiments of an education. Twelve of the 16 boys interviewed could neither read nor write. One boy had reached the seventh grade; two, the fourth; the others were all in the first or second grades. Some of them had been out of school for years. All had industrial experience, most of them in the big tobacco factory which has made Winston-Salem famous. They should follow a very simple course of study especially adapted to their peculiar needs.

Recommendations

From the practical standpoint it would be most unwise to suggest the discontinuance of the two county reformatories at this time. Forsyth County would have nowhere to send its colored boys

and Buncombe County would have the problem of detention until room could be made for applicants at the Stonewall Jackson Training School.

Since Asheville is doing more nearly adequate juvenile court work than any other city in the state, and thereby reaching a larger number of children, Buncombe County will probably have for some years to come more delinquent boys on her hands than the state training school can lodge for her. The site for her new reformatory is already purchased and plans for the building are under way. It is suggested that the county commissioners consider the wisdom of erecting small cottages rather than large buildings on the dormitory plan, and that a separate cottage for the colored boys be erected on the reformatory grounds. The present situation at the county home (see page 39) is a great injustice to the negro children which should not be permitted to continue. Further, Buncombe County should consider the wisdom of developing a parole system for both her white and colored boys, possibly utilizing her probation officers for this work.

Forsyth County should resume the school work which has been abandoned at the county reformatory and should extend it in conformity with the requirements of the state Board of Education for the public schools.

INSTITUTIONS FOR DEPENDENTS

Twenty-one orphanages primarily for the benefit of destitute orphans and half orphans, an agency for child-placing, and four rescue homes for dependent girls expecting to become mothers, constitute the facilities provided for the care of dependent children.

Financial Support.

The majority of these are supported entirely by private means. Two orphanages (Oxford Orphan Asylum and the Oxford Colored Orphanage) receive subsidies from the state but rely otherwise upon private sources for maintenance; one (Buncombe County Children's Home) is supported entirely by the county in which it is established; the others receive their income from churches, fraternal orders, societies, voluntary contributions, and in a few cases derive a small income from the sale of products manufactured in the insti-

tution. In general, parents are not encouraged to contribute toward the maintenance of their children while in institutions. Orphanages as a rule prefer to accept only children in destitute circumstances.

Some institutions are well provided for financially, others very poorly. Institutions supported by churches and by fraternal orders usually have an income on which they may depend. A few institutions relying entirely upon voluntary contributions for support often procure their funds by such extravagant and unsystematic methods that a large percentage of the gross receipts go to raising money. Almost all institutions receive more children than they are financially able to handle, with the result that the quality of their work is lowered. This is manifestly unfair to the children and defeats the ends for which the institutions were organized.

Supervision.

All orphanages are licensed by the state and consequently come under the supervision of the State Board of Charities and Public Welfare. With the limited staff afforded the board, it is impossible for it to conduct investigations with necessary thoroughness and as a consequence many institutions have been carrying on their activities as isolated units and neglecting the relation they bear to the broader aspect of child welfare as a whole.

According to law the state Board of Charities and Public Welfare is empowered to license all private orphanages, institutions and persons receiving and placing children. Before granting a license it has authority to inspect all buildings and to satisfy itself that the person, buildings and equipment are conducive to the proper care of dependent children. Such information may be made public at the discretion of the board and the license may be withheld if it is felt that conditions are not such as to assure the welfare of children coming within the custody and control of the institution.

The investigations made before granting a license to an institution, as well as those made at frequent intervals thereafter in a supervisory capacity, give this board a great number of regulatory functions. By consultation with a corps of competent investigators who understood the difficulties peculiar to each institution, the State Commissioner of Public Welfare would be in a position to do much toward raising the standards of institutional care. He would then be able to introduce new methods and to make adjust-

ments among institutions which would be of mutual advantage. Rescue homes should be licensed according to the same standards as orphanages and a suitable adjustment made between their work and that of child-caring and child-placing agencies. It is believed that the superintendents would welcome the direction of an official clearly informed on the conditions peculiar to each institution and therefore in a position to co-operate in bringing the work to its maximum efficiency.

Many institutional superintendents are willing and anxious to raise their work to a higher plane. They have organized themselves into a State Orphan's Association and hold annual meetings where methods of work and institutional problems are discussed.

Orphanages.

Of the 21 orphanages caring for dependent children two provide for colored children, 19 for white. Only two, Oxford Orphan Asylum and Eliada Orphanage, accept infants. Ordinarily the age for admission is from 5 to 12 years. It is customary to receive only orphans and half orphans who are in sound physical condition and without adequate means of support, though a few children both of whose parents are living have been received because of bad conditions in their homes. Economic destitution is usually the condition for admission; first, because it is felt that if the parents can contribute even a small sum toward the children's support they feel they should retain a controlling interest in them, and second because in most cases a little further effort on the part of the parents would provide for the children without institutional care.

Admission.

Children are committed to orphanages in various ways: by friends, guardians, parents, children's societies, courts, etc. They then become automatically the legal wards of the institutions and remain so until they become of age or are discharged, even though contributions are made toward their maintenance.

Superintendents and admission committees receive children at their discretion and are not required to inform even the State Board of Charities and Public Welfare of their transactions, except in their annual report.

No institution employs a visitor to make a personal investiga-

tion of the home before the admission of a child. Admission blanks are usually provided and the meager information furnished on these, together with that secured by correspondence through superintendents and parties concerned, supplies all the data available for the superintendent in determining whether or not a child should be accepted and constitutes the only history of a child and its family that is preserved. The result is that orphanages are choked with children who should not rightfully be a charge upon them.*

The importance of detailed investigation before the admission of a child and the filing of this information in permanent form is not always realized. At least two institutions, both for colored children, recorded the condition of large families of children on one application blank and the doctor's certificate attached dealt with the physical condition of the children collectively rather than with the condition peculiar to each child. Appropriate file cases were rare and records sometimes filed with extreme carelessness and often lost.

> One well established institution stored records of inmates on a shelf in the cupboard of the office where rats had access to and destroyed them. In this case the family histories and conditions relative to the admission and discharge of all children cared for in the institution prior to 1914, except for a few facts recorded in a register, were destroyed. On searching for later records a roll of dirty papers was found tucked away under a pile of loose material. These proved to be the records from 1914 to 1918. Still other records were scattered through the desk of the office assistant and some were simply laid away in a ledger.

All institutions, whether using application blanks or not, record the names of inmates together with some slight information regarding them in a register. Although of some social value and an excellent precaution as a safety device, a register should on no account be accepted as a substitute for full family histories. A few institu-

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*Some institutions attempt to safeguard themselves by requiring a written recommendation from a minister testifying to a child's destitution and eligibility for admission. Orphanages of fraternal orders investigate the circumstances of families whose children are under consideration through a committee of the local lodge. Several superintendents consult Dunn or Bradstreet for the names of prominent business men living in the same town as the applicant. From these they endeavor to secure information, but the replies usually received such as "Case not a worthy one," "Father not much good," etc., throw little light upon the real economic status of the family or on its social relation to the community.

tions accept children without attempting any investigation whatever, though progressive institutions consider full family histories fundamental for constructive child-caring work. In view of this it would not be unreasonable for the State Board of Charities and Public Welfare to require every organization assuming the care of children to keep a permanent record showing who the child is, why and how he was received, and what was done for him while in the institution and after he was released, but this information should never be accepted as sufficient for a full family history.

It is sometimes felt that the recording of such detailed information is superfluous and of little value. Experience has proved, however, that each point covered by the investigation and record-keeping is significant in the relation which it bears to the family condition and cannot be ignored. Family history records should show clearly such facts as name, age, sex, race, nationality, religion, occupation and wages of each member of the family; the physical and mental condition of each and if dead, the cause of death. The habits and reputations of the living members should be verified by supplementary statements made by disinterested persons and organizations as well as by relatives and friends. This information would often indicate better means of caring for the children than committing them to orphanages and thus relieve the present overcrowded condition and enable institutions to conduct their work with greater efficiency. Only when such information is at hand can an intelligent solution of the problem of each child be reached.

Discharge.

On leaving a North Carolina institution a child may be returned to relatives or friends, be placed out in a private home to board, sent to another institution to receive special training in educational or vocational lines, work may be found for him, or he may be turned out to shift for himself. Practically the only information regarding a child's history after leaving an institution which is kept in permanent form is recorded in a register where such facts as "Returned to mother," "Gone to a position," etc., are often all that is noted. It is felt that a careful investigation of parents and relatives to whom a child is returned cannot always be made and serious problems often result from placing children in uninvestigated homes. Names of employers or the financial condition of the family, even

when economic destitution is the reason which has first brought the child to the institution, are often unknown and unrecorded. Many superintendents rely upon their memories for information and a large body of data is lost permanently whenever the administration is changed.

Child-placing is not practiced to any extent by North Carolina institutions. Almost all orphanages visited objected to placing out children but as child-placing is as yet so recently introduced, this was not surprising. Few orphanages place children in domestic service or as farmhands upon release. Most of the work found for white children is of a different class and there is a growing tendency toward entering those who prove most promising in normal schools and colleges. One institution has a small endowment for this purpose and several have permanent scholarship funds.

On no account should inmates be released from institutions without adequate provision being made for their future. When an institution will send out children with a bundle of lunch and 50 or 75 cents in cash to find work for themselves, it is time for a general reorganization of the system. The general absence among North Carolina institutions of a systematic plan for following up children after they have been released leaves a child with only his own judgment and inexperience on which to rely. True, institutions request former inmates to write back of their occupations and whereabouts. Doubtless every orphanage would readily give counsel if it were possible, but with limited clerical help letters cannot be answered and children inevitably drift away. The proposed County Boards of Public Welfare would supply persons in each county who were directly responsible for visiting and advising these children and with little trouble and expense a statewide method of supervision and follow-up would be effected.

Health.

Provisions to protect the health of children living in orphanages are of the utmost importance. As a precaution against admitting children suffering from contagious or infectious diseases, 14 of the 17 orphanages studied require a physical examination and doctor's certificate before admission. This has not proved very successful as physicians often make very superficial examinations, with the result that the institutions find themselves guardians of children

for whom they are not designed to care. Preliminary examinations, therefore, have been entirely discontinued in some institutions.*

To assure the health of inmates a thorough physical examination should be given to all newcomers immediately upon their arrival. By these examinations children who should receive special treatment will be weeded out or, if they are retained, the institution will be able to segregate them until special provision can be made for their treatment. There is little of such segregation at present, and children suffering from tuberculosis and other infectious diseases mingle with healthy children to the detriment of all. Among the orphanages visited, the Thomasville Baptist Orphanage, the Oxford Orphan Asylum, the Methodist Protestant Children's Home, and the Presbyterian Orphans' Home make this a rule. The Thomasville Baptist Orphanage and the Presbyterian Orphans' Home take the additional precaution of keeping new arrivals in isolation quarters for a week or ten days, that their condition may be better studied and that the institution may more fully protect itself against the introduction of latent disease. This practice should be universal.

The results of the child's examination should be kept in permanent form and the record should include the physical history of each living member of the family and the cause of death of each deceased member. The personal history of the child should begin with infancy; note should be made of the environment from which it has come, its habits, previous medical history, diseases and a careful diagnosis of its condition upon admission. These facts should be followed by continuous records where the health, school progress and personal tendencies of each individual are recorded and studied. The following form has proved satisfactory for a prominent institution caring for children. It is offered here as a suggestion which might be followed to advantage.

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*A certain colored institution formerly requiring a physician's examination before, as well as immediately upon, admission recently discontinued the practice. On being questioned as to why the examinations had been dropped the superintendent explained "The doctors found so many things was the matter with the children and there was so much disease in them that he could not possible undertake to make them well so the examinations was given up entirely."

REPORT OF MEDICAL EXAMINER

Name..... Address.....
Age..... Nationality or Race of { Father..... / Mother .....
Sex.....

Family History (Medical)	Good Health	Invalidism Particularly insanity, tuberculosis, cancer, tumors, deformities	Dead (Cause) Particularly insanity, tuberculosis, cancer, tumors, deformities
Father.....			
Mother.....			
Sisters.....			
Brothers.....			

Family History (Social):
Poverty.....Illiteracy.....Over Crowding.....Neglect.....
Drunkenness.....Cruelty.....

Personal History (Social):
Environment.....Habits.....Character of companions.....

Habits—Breathing: through mouth.....Nose.....
Snore.....Enuresis.....Masturbation.....

Previous Medical History:
Vaccination—Measles...Scarlet Fever...Diphtheria...Chicken Pox...
Mumps.....Erysipelas.....Rheumatism.....Small Pox...
Pneumonia.....Whooping Cough.....Typhoid.....Malaria.....

Physical Examination:

General Development.....	Glands.....
Nutrition.....	Chest { Shape..... / Girth at nipple line .....
Height.....	.....
Weight.....	Heart.....
Skin.....	Lungs.....
Eyes.....	Spine.....
Ears.....	Extremities....Deformities.....
Nose.....	Genitalia.....
Mouth { Teeth..... / Tonsils..... / Adenoids.....	Hernia.....

Remarks and Recommendations	Treatment Given

PHYSICAL EXAMINATION RECORD (Face)

Continuation of Medical Record

Subsequent Examinations	Treatment Given

(REVERSE SIDE)

All institutions engage doctors on a salary basis. Usually, however, general practitioners come on call and give their services gratis or at reduced rates. Only four of the institutions visited employ nurses and these either alone or with the assistance of a physician give physical examinations to every child admitted. Large institutions not employing nurses should make every effort to do so. All children should be regularly examined by a doctor or a nurse at given intervals and the result of this examination together with the treatment prescribed should be recorded and kept on file.

The prevalence of venereal disease is perhaps the gravest danger existing in institutions. In the absence of family investigations and physical examinations upon admission, children of feeble-minded, blind and degenerate families often suffering from venereal diseases are massed together with normal children. No institution in North Carolina regularly gives blood tests on admitting children and the question of venereal disease is a shunned subject.*

Some institutions earnestly endeavor to prevent the spread of skin diseases. A large amount of eczema, ring worm, itch and other sores was found. "I cannot understand why our children all seem to break out so much," said a matron of one orphanage, "I guess it must be just natural for children to have sores!" While conditions such as the foregoing prevail, "sores" will continue and the dangers increase. The story of Sally and Mary is illustrative of extreme conditions in a few institutions.†

> In October, 1915, two children, Sally* and Mary,* were brought to an orphanage. Early in February, 1916, the mother received an anonymous letter telling her that Sally was very ill. On her request for information she was informed that the child was all right. The little girl remained ill and a few months later a relative found her in the institution so weak she could hardly be brought home.
>
> Both girls claim that during the whole time they were in the orphanage they slept in the same bed with another child whose whole body was covered with sores, "Sal at the foot, me at the top, and the other little girl down at the middle." The third child could not at times rest either on her back

*In dormitories children often sleep two and sometimes three and four in a bed. Two institutions where overcrowding was greatest provided no nightgowns; another institution permitted children to do as they pleased about wearing night clothing. Ten of fourteen institutions used common towels, none insisted on individual drinking cups and children are often bathed two and three in one tub of water at the same time. One evening the writer watched 35 boys bathe their feet in the same bucketful of water and dry them on the same towel before going into the study hall of the institution.

†Names fictitious.

or on her face because of the sores all over her body. The children explained that the "superintendent's wife would pack cotton around her and put black grease over her body."

It is not the custom to give dental examinations upon admission or to have regular periods set aside during the year when the teeth of all shall be examined and cleaned. "Necessary dentistry," consisting of extracting and sometimes filling badly decayed teeth, is usually all that is afforded.

Tooth brushes are not always provided. Of fourteen institutions studied only six gave tooth brushes to all, five provided brushes to older children and three made no effort whatever toward keeping the teeth clean. Each tooth brush should have the name or number of the child plainly marked and be so hung that it does not touch the other brushes. On no account should several children be permitted to use the same brush. Small metal clamps bearing the child's name or number, such as are used at the Oxford Orphan Asylum, provide a satisfactory means of preventing confusion.

Sanitation was good at seven, fair at two and poor at five institutions visited. Outdoor privies still prevail in some institutions, and though one superintendent explained he "got by with it," their condition was usually most unsanitary as well as inconvenient. All were open at the back and toilet paper was often unprovided. Even where modern plumbing had been installed sanitation was often poor. The condition was invariably worse in the boys' departments than in the girls'. Toilets were sometimes situated near the kitchens and the absence of screens throughout the institution and especially where food was prepared gave rise to grave dangers.

Although the food served was of a wholesome quality and there was usually plenty for all, there was a monotonous lack of variety. Oxford Orphan Asylum and a few other institutions make a great effort to serve food in an appetizing manner. Institutional life affords such an exceptional opportunity for teaching children how to cook and serve food properly that it is unfortunate not to profit by it. The addition of a dietitian to the staff of every large institution would undoubtedly prove of great value.

Housing.

The most effective method of minimizing institutionalism is by adopting the cottage plan of organization, and so far as institutions

are further developed the development should proceed along this plan. To bring this to its maximum success the number of children occupying a cottage should approximate that of a normal family. Just when a cottage merges into the congregate plant it is difficult to say, but the number of inmates should never exceed twenty.

Many of the largest North Carolina orphanages endeavor to meet this plan. Oxford Orphan Asylum, Thomasville Baptist Orphanage, the Methodist Orphanage at Raleigh and that at Winston-Salem, Thompson Orphanage and the Presbyterian Orphans Home all use cottages for living purposes. The tendency of the smaller institutions is to adopt this type of plant as the number of their inmates increases. This is the ideal, but the conditions that usually exist are far different. Except in Thompson all cottage orphanages visited used a central dining hall where inmates meet for meals.* Study halls and playrooms, especially those for boys, in cottage orphanages, were often bare and unattractive and possess but little home atmosphere. There was a general absence of toys and a number of cottages were without libraries, magazines and newspapers. Cottages have been so overcrowded to accommodate 35 and 45 inmates that they often cease to afford homelike surroundings and become small congregate institutions often of inferior grade.

An absence of home spirit prevails among many of the smaller institutions visited.† As a striking example, in one institution a large loft was divided into small compartments large enough to hold a bed. Sagging springs and soiled mattress were covered with one sheet and a coverlet. Two or three boys occupied each bed and slept in underwear worn during the day. Although provided with eight windows the loft was badly ventilated; sunlight could reach few of the beds and the whole arrangement was most unhealthful.

The trouble with orphanages is not always due to defects in plant and equipment, however, though increased care and more money would doubtless contribute many comforts now lacking. The difficulties lie rather in a wrong conception of the child's problem. Much may be sacrificed in the way of clothing and scientific care, even of bodily comforts, for the human personal touch which every child craves. A few institutions supply this but it is not uncommon

*Meals especially adapted for very small children are prepared and served in the baby cottage at Thomasville and Oxford Orphan Asylums.

†Alexander Home and Eliada Orphanages are marked exceptions to this.

to see groups of little children herded together in dormitories, dining halls, playrooms and playgrounds day after day and week after week under the supervision of persons who are not interested in them as individuals but who assume charge of them simply as a matter of business. Although such conditions do not always prevail the tendency in any institution, and especially in those of the congregate type, is that the individual will be submerged in the mass. In such cases children cultivate little initiative, there is small incentive to imitate and interpret adult life and a large factor in the preparation for the more serious experiences of later years is accordingly lost.

Recreation.

The importance of play in fostering qualities of courage and resourcefulness among children has been unrecognized until comparatively recent years. Parents, supervisors, and teachers as well, have regarded recreation as a natural but somewhat useless activity. But we are beginning to understand the tremendous importance of play in the development and discipline obtained from games and association by groups. The healthy games of children develop the body and strengthen it to combat disease. Carefully supervised, they foster the spirit of fair play, cultivate initiative and create habits of organization and co-operation. The need of alertness supplements mental growth and causes backward children to grow in intelligence and become capable of better work.

North Carolina is especially fortunate in that her orphanages are located on farms and large city lots. These surroundings afford natural playgrounds. In such surroundings play can be developed successfully with little trouble and slight expense. Most orphanages have some outdoor play equipment. All should have more. Indoors, however, conditions are more unfavorable. Basement playrooms are not infrequent, and owing to their absence of sunlight, the air is usually damp and impure. Most playrooms were scantily provided with articles that would appeal to the aesthetic side of a child's nature. Few toys were in evidence anywhere and the supply of games slight. No institution visited boasts of a gymnasium and music was seldom used in playing games. A swimming pool in the basement of one orphanage is said to be seldom used.

Superintendents would find it beneficial to encourage group games for children. Neglect to provide such recreation has been

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...ome has recently built a well ... one story addition to the administra- ...homasville Baptist Orphanage provides quar- ...y adapted to school purposes. Mountain and Eliada ...ages maintain buildings resembling small rural schools for their children. Rooms set aside for school purposes in the administration building of the Oxford Orphan Asylum and the Methodist Orphanage at Raleigh are not well adapted for their functions, and the work, though carefully conducted along well selected lines, is carried on under difficulties. Ungraded schools found in several orphanages showed poor management. Many school rooms are greatly overcrowded. Children are not always supplied with text books of their own; school equipment and conveniences for teaching are often meager. Satisfactory school records are not kept regularly by all, nor are the teachers always of sufficient experience and training to be thoroughly capable. Children in Buncombe County Children's Home and Winston-Salem Colored Orphans' Home at-

chools near by. The Falcon Orphanage sends children
ool maintained by the citizens of the town.
ve institutions provide good libraries of well-selected
ometimes only open a few hours during the week.
in that it prevents children from acquiring the
to the library to read and further prevents the
ng facilities at hand to their fullest usefulness.
s are afforded for vocational training. This
in Oxford Orphan Asylum than in any other
and dairy, shoe, print and wood shops,
telegraphy are provided for boys, while
domestic science and nursemaid train-
all institutions expect the inmates to
rk and their efforts in these lines are
r is approached. Vocational train-
abor, although some institutions
nting and music. A brick yard
nage provides a form of labor

ng is not carried on to any appreciable extent in North
d. County homes occasionally place children to board or for adoption. Orphanages have made some attempt to place children, but their homes as a rule have been unsuccessful and are regarded with general disfavor. Three rescue homes place illegitimate babies for adoption only when they are convinced that the mother is unfit to bring up her child. It is strongly against the policy of rescue homes to do this except in cases of extreme necessity and one rescue home refuses to admit expectant mothers unless they agree before they are admitted to take their offspring away with them. The only organization in the entire state which devotes itself exclusively to home finding is the North Carolina Children's Home Society.

The North Carolina Children's Home Society is a part of the National Children's Home Society. The North Carolina branch was incorporated under the laws of North Carolina in November, 1903 for the purpose of caring for homeless children by placing them in approved foster homes. It is under private control. Its activities are directly in charge of a superintendent who devotes half time to

the society and half to carrying on his own profession. The office force consists of the superintendent and a stenographer who comes in for occasional dictation.

The society maintains a well-equipped and carefully managed receiving home in Greensboro. This is supervised by a trained nurse who understands children and gives them good care. There is a capacity for fourteen, and nine inmates were present at the time of visit. Under the capable management of the nurse a truly homelike atmosphere is maintained. Rooms are comfortably furnished and suitable provision is made for work, play and health. Children are taught housework and each child is given a bank and paid for extra work done about the home. School work is conducted by two high school girls who offer their services as volunteers.

The society requires that all children under its care be made legal wards. Three solicitors, employed primarily for the purpose of raising money, sometimes visit homes of children and make family investigations before a child is accepted. This is usually done through correspondence, however. Relatives are consulted by correspondence as to whether or not they are financially able to care for the children and sometimes the superintendent consults Bradstreet for names of business men of whom he makes similar inquiries.

A doctor's certificate is required before a child will be accepted, but a physical examination after admission is not always given. Blood tests, mental tests, and often dental examinations too are omitted, nor are health records kept for each child. It is said that children are frequently given minor operations and incipient diseases are corrected, but figures regarding the amount of work done are not kept and the information was unrecorded in a number of children's records which were studied.

After the children are received by the society parents are denied knowledge of where they have been placed and are expected never to see them again.

Foster homes are investigated through correspondence. References are requested from persons whose homes are under consideration. The society corresponds with these and attempts to secure independent references. It is not considered essential for a representative of the society always to visit a foster home before it is approved, but the solicitors occasionally make preliminary investigations.

In taking children foster parents are asked to visit the receiving

home and choose the child they wish. They are not encouraged to make inquiries regarding a child's former history, however, and are consequently much handicapped in providing constructive care. An attempt is made to have a solicitor visit each foster home yearly.

There have been such frequent changes in the administration of the society that records have become confused. Track of many children has been lost and they cannot be located. Although the superintendent states that 3,500 children have been cared for and that 99.75 per cent of these have made good, he was unable to say what had become of them, or to give a list of the foster homes in which they had been placed.

Four Rescue Homes organized primarily to shelter unfortunate girls, care for them during confinement and help them to become reestablished in society after the birth of their babies. With the exception of Rest Cottage which is maintained by the Holiness Church, all of these institutions are non-sectarian. Religious training is emphasized in all and each institution requires some school work of its inmates. Many girls come to these institutions voluntarily, others are sent through friends, associated charities, court or police officers. Investigations concerning the girl's past life and the causes which have led to her difficulties should be emphasized and detailed information given in the records.

Two institutions make it a practice to send inmates to hospitals for confinement. Delivery rooms have been fitted up in the others. Although the general care afforded girls during confinement is good, sufficient precaution is not always taken. One institution does not require the presence of a doctor during childbirth but relies on the care of a practical nurse who was receiving training through a correspondence course last spring.

Lindley Training School, Faith Cottage, and Florence Crittendon Home occasionally place babies in foster homes for adoption. Faith Cottage frequently places children in Eliada Orphanage, an institution under the same management as the rescue home. In two institutions young mothers are required to remain in the rescue home with their babies six months after confinement. One institution requires girls with their babies to remain as inmates two years; another will keep babies until they are four years old upon payment of a small sum toward their support. Where foster homes are found, investigations preliminary to adoption are made through correspond-

ence. No rescue home permits a mother to place her child in a foster home before it is six months old. Institutions do not exercise any supervisory powers after babies have been placed in foster homes.

The whole scheme of child-placing in North Carolina is unorganized. Nevertheless this is one of the state's greatest needs in child welfare work. Child-placing should be developed along systematic lines and carried on by experienced people. Some large orphanage might develop a child-placing agency for demonstration purposes in connection with its regular work. The state should have close supervision of the work through its Board of Charities and Public Welfare or through a Bureau of Child Welfare which it might well develop.

There is now no place in North Carolina where children can be placed temporarily to board either free or for a small charge. A child-placing agency by providing temporary homes would be a boon to many parents in difficult circumstances and by asking a nominal charge a steady though perhaps a small income could be realized.

AGRICULTURE

CHARLES E. GIBBONS

Over one hundred years ago, Adam Smith said, "Since the downfall of the Roman Empire the policy of great nations has been more favorable to arts, manufactures and commerce, the industry of towns, than to agriculture, the industry of the country." This is largely true of our own country even today. Slow indeed has the nation been to see the importance of its chief productive industry, but slower still to understand the needs of the people engaged in it. We have scarcely recognized the existence of a social problem concerning the tillers of the soil.

Agricultural development in the United States has had three stages, two of which have passed, and we are now well within the third. As to the first two, it is rather the period of recognition that has passed, for much of the work initiated is still going on in one form or another. About the middle of the 19th century there sprang up a great and insistent demand for more useful and usable information about the handling of the soil and the production of better farm crops and livestock. In 1862 Congress, by the passage of the Morrill Act, made provision for the establishment of land grant colleges. This may be said to mark the real beginning of the scientific stage, during which time there developed the farmers' institute work and the county and state fair movements. There was published a great mass of agricultural bulletins and scientific papers on agriculture, the emphasis at all times being upon production.

About 1880 there began the development of the Granger Movement in the west, and later on of the Farmers' Alliance in the south and west. It was seen that agricultural colleges and experiment stations, scientific farm literature, institutes and fairs would not prove a panacea for all the ills of country life, so the realm of politics was invaded. While much that these organizations did was in other fields and therefore not germane to the development of agriculture, yet their influence was decidedly felt, especially in their protests against the unfair methods of the great corporations. But politics was no more successful in solving the problem than was science,

because both have failed to take into consideration the social needs—the development of the human side of the farmers' life.

The first stage emphasized the soil as a wealth creating factor, in comparison with other industries. Little had been said and still less sincere endeavor made to learn how the vast amount of wealth created by the primary industry was affecting those who developed it. The influence of the political stage was negative rather than positive. It took the form of protests and opposition rather than constructive legislation. The problem was not fully grasped as a national one until 1908 when President Roosevelt, recognizing that increased production and political representation were not the only things needed for successful rural life, appointed the Country Life Commission. This commission was instructed to report upon the present conditions in rural life, upon the means available for supplying the deficiencies and upon the best methods of organized permanent effort in investigational and actual work in agricultural development, including the problem of the rural school. In due time a report was submitted. In his letter of transmittal to Congress, the President summarized the Commission's report as follows: "From all that has been done and learned, three great general and immediate needs of country life stand out. First, effective co-operation among farmers to put them on a level with the organized interests with which they do business. Second, a new kind of school in the country which shall teach the children as much outdoors as indoors, and perhaps more so that they will prepare for country life and not as at present mainly for life in town. Third, better means of communication including good roads and a parcel post, which the country people are everywhere and rightly unanimous in demanding."

This is the first official document that clearly and concisely states the problem of country life, from the standpoint of the human needs of the farmer and his family. It will be the purpose of this paper to inquire into these phases of the rural problem—namely, *organization*, *education* and *communication*, especially in reference to their bearing upon the social life of the farm people in the State of North Carolina.

Geographically, North Carolina falls into three divisions, namely—Mountain, Piedmont and Coastal Plains. These divisions parallel each other in a general northeasterly to southwesterly direction.

The Mountain section lies in the western part of the state and includes approximately one-sixth of the state's area. The soil is of residual origin and is formed from the decay of underlying rocks and vegetation. The climate is very favorable to agriculture, the average annual temperature being about 54 degrees. The average annual rainfall is approximately 60 inches, which is higher than in either of the other sections. The growing season, however, is comparatively short, being from about the 15th of April to the 15th of October. The land is rough and hilly, only about one-fifth of it being cleared and used for cultivated crops, consequently farms are small and usually operated by the owner. Because of the rough and hilly character of so much of this land, it frequently happens that considerable damage is done to the soil because of sudden and heavy rains. Fruits and grain crops are chiefly raised. Recently there has begun the development of the dairy industry, especially cheese-making on a commercial scale.

The Piedmont section lies between the mountains and the coastal plains and comprises about 40 per cent of the state's area. It is a high rolling plateau, gradually rising to the mountains on the west and sloping to the flat coastal plains on the east. Some parts are rugged and broken by low mountain ranges. With but few exceptions, the soil is entirely of residual origin and very fertile and well drained. The average annual rainfall is about 50 inches. Frequently the soil is injured by heavy and sudden rains so that terracing must be resorted to in order to protect it. The climate is mild, the average temperature being about 58 degrees. The chief crops are cotton, corn, tobacco, wheat, oats, soy beans and potatoes, in addition to a great variety of fruits. This section is well adapted to dairying and stock raising although this industry has not been fully developed. Because of its favorable climate, rainfall and fertile soils, the Piedmont stands of first importance agriculturally and likewise industrially because of its great water power facilities. About one-half of the state's population is found in this section.

The Coastal Plains embrace 38 per cent of the state's total area. The soils of this section are sedimentary in origin and are generally lacking in organic matter. However, a considerable portion of it, especially the western part, is quite fertile and capable of producing good crops. This land slopes gently toward the ocean and on the whole is difficult of drainage, especially the eastern part extending

inward from 30 to 50 miles, which is very low and swampy. The average annual rainfall is about 52 inches. Because of the greater variance in temperature and the poor drainage, especially in the eastern part, this section is by no means as healthful as either the Piedmont or Mountain section. The average annual temperature is about 61 degrees. The chief crops are cotton, tobacco, peanuts, corn, soy beans, and sweet and Irish potatoes. The extreme eastern part is well adapted to truck farming, although a very small portion is used for this purpose.

Taking the state as a whole, it will be seen that from the standpoint of climate, rainfall, and fertility of soil, it is extremely well located. Nature has been kind to North Carolina. Since the landing of the first settlers upon her coasts, agriculture has been the chief industry. In 1915, over 60 per cent of the primary wealth created in the state came from the agricultural industry. In 1910 over three-fourths of her people lived in the country—that is, in unincorporated territory, and depended directly upon the soil for their living. Because of its primary importance both from the standpoint of numbers living on the soil and depending directly upon it as a means of living, and of the wealth created, we should expect to find the agricultural industry surrounded and safeguarded by a wise and constructive system of laws from the very beginning. Such is not the case. Institutions and organizations for agricultural encouragement have been slow in developing, in fact, it was not until the last quarter of the 19th century that the state attempted any legislation of importance, and even since then the program has not been consistent. Until 1908 much of the legislation passed was the result of compromises between the various political factions and consequently could neither be consistent nor equal to the needs of the industry. The Civil War and particularly the shameful conduct of legislators in the period immediately following it, were responsible for much confusion and neglect, but the record of legislation prior to 1860 and since 1877 has also been far from what it should have been.

In 1877 the Department of Agriculture was organized. It was under the control of a board composed of the governor, state geologist, master of State Grange, president of the State Agricultural Society, president of the Agricultural College, and two agriculturalists appointed by the Board. It was required to meet twice a year and those members who were not state employees received pay for their services

not to exceed $3 per day for not more than 15 days a year. This was a beginning, but the very nature of the organization militated against a highly successful development of agriculture. A part of the Board's duty was to conduct an experiment station. This was established at the State University. During the few years the station was at Chapel Hill, no attempt was made to give practical instruction in agriculture to students. Some good work, however, was done especially in the chemical analysis of fertilizers, the adulterations of which had become prevalent. There was not the best of harmony between the Board of Agriculture and the University authorities, so in 1881 the station was withdrawn, although the University continued to draw the Landscript Fund until 1887.

In 1885 the Watauga Club, composed of reactionaries against certain political influences, memorialized the legislature to create an industrial school and to establish it at Raleigh in connection with the Department of Agriculture. Accordingly such a school was provided for. At this time it was seen that Congress was about to supplement the original land grant by an additional appropriation for an agricultural and mechanical college in each state. This tended to broaden the idea and purpose for which the school had been created. In the meantime, the influence of farmers and their organizations had been sought. Col. Polk, editor of the *Progressive Farmer*, threw the weight of that publication's influence in favor of an agricultural college, and accordingly the legislature of 1887 made the industrial school the Agricultural and Mechanical College with an experiment station, under a Board of Trustees composed of the members of the Board of Agriculture. This arrangement, however, was soon discontinued and each organization had its own board, although members of one may be members of the other.

The establishment of the new college was rather strongly opposed by the University authorities, but this opposition soon gave way and the Landscript Fund was transferred to the new institution.

There were now two organizations in the field, the Board of Agriculture and the State Agricultural and Mechanical College, the former supported almost entirely by fees received from inspections, licenses, etc., and the latter by state and federal appropriations. As these organizations began to grow and develop, it was natural there should be some overlapping and consequent friction. In the main the work of the Board of Agriculture was regulatory—that is,

police and inspection work, while that of the college was teaching. The bone of contention was the experiment station. Each was attempting to do something that was done by the other. This made for neither efficiency nor harmony.

The year 1912 might well be called the beginning of the agricultural renaissance in North Carolina, for it was in this year that these two organizations came together and placed under a committee all the state extension and experiment work in co-operation with the Federal Department of Agriculture. In addition to the unsatisfactoriness of the previous arrangement, there were two factors that helped to bring this about. First: in 1908 the Federal Department of Agriculture introduced into the state the work of Dr. S. A. Knapp, commonly called the farmers' co-operative demonstration work, by the appointment of a state agent. This work had grown and developed rapidly and its possibilities were beginning to be clearly seen. Second: it was quite generally recognized that the federal government would soon strengthen this work by increased appropriations and therefore the state should have the proper machinery to carry on the work. This expectation was realized in the passage of the Smith-Lever Act by Congress. In passing, it should be said that to Dr. Seaman A. Knapp, more than to any other man, belongs the credit for the initiation of this work not only in North Carolina but also throughout the South. It was he who saw the problem in its true perspective. In one of his speeches he estimated that the productive power of the farm labor of the average southern state could be increased 800 per cent distributed as follows:

300 per cent to the use of better mules and machinery;
200 " " " " production of more and better livestock;
150 " " " a rotation of crops and better tillage;
50 " " " better drainage;
50 " " " seed of higher vitality, thoroughbred and carefully selected;
50 " " " the abundant use of legumes, and the use of more economic plants for feeding stock.

The state has made much progress since this clear and concise statement of the economic situation was made, but unfortunately too few of her agricultural leaders have caught the vision of Dr. Knapp, or carried on the work with his energy and enthusiasm. The state has an almost ideal form of organization, but it has failed to put it to use.

In September 1914, the Federal Department of Agriculture and the College of Agriculture and Mechanic Arts, with a further understanding between the college and the State Department, entered into an agreement to conduct the Extension Service as a separate division of these two institutions under a joint committee for agricultural work as provided for by the legislature of 1913. Thus there are now three distinct organizations in the field of agricultural development, each with its own particular phase, but all working together co-operatively—that is, the plan is co-operative.

COLLEGE OF AGRICULTURE

By the agreement, the college as such has only the teaching work. It is governed by a board of 16 trustees, appointed by the governor, and confirmed by the senate, for a period of six years. During the year 1916-1917 the college received $41,000 from the Morrill, Nelson and Landscript Funds (federal) and $105,000 from state appropriation. There was also received a little over $8,000 from sales of farm products, in addition to money borrowed and funds received from students for all purposes, including board, making the grand total receipts from all sources a little over $325,000.

The criticism is frequently heard that agriculture is not receiving from the college adequate consideration. This would seem to be justified by the fact that from 1908 to 1918 inclusive, 65 per cent of the graduates were in the engineering colleges, whereas only 35 per cent were in agriculture. However, during the later years, excepting 1918, the agricultural graduates show a proportionately greater increase than do the engineering graduates.

The college does not give special training for the development of county agents, the backbone of the Extension Service. The state has imported a great many of her agents from other states. While the conditions in the states from which these agents come are somewhat similar to those found in North Carolina, yet it would undoubtedly be of much advantage to the state to train her own agents. A reasonable infusion of outside blood is good for the service, but too much weakens it. The highest hope of the state lies in the training of its own people for successful leadership.

Another quite prevalent criticism is in reference to the policy of the teaching staff. Several graduates of the school stated that the

emphasis of the teaching is to train the student to use his agricultural education for purely financial consideration, and that its purpose is to enable the student to go out and make money from the soil. These critics say that nothing whatever is taught about the holding and treatment of labor. In other words, that only the mechanical features of agricultural education are developed, and little or no heed is given to the human consideration and to the development of the industry as it should affect the entire people of the state.

STATE DEPARTMENT OF AGRICULTURE

By the agreement of 1914, the activities of this department as such, were confined to that of police and inspection work, especially with fertilizers, feeds, oils, etc.

It is under the control of a board consisting of ten members, one from each congressional district, who are appointed by the governor and confirmed by the senate, for terms of six years. The commissioner is elected by popular vote and is *ex-officio* chairman of the board.

The department is to a large extent a sub-legislature, having been granted by law the power to make regulations, which are given the authority of law, violation of which is made a misdemeanor cognizable by the courts.

The work is supported almost entirely by fees and licenses, etc., received from inspections, the one exception being the small direct state appropriation for hog cholera serum. During the year 1917 the receipts were about $335,000. A goodly portion of this, however, was used for extension and experiment station work, and expended with the approval of the joint committee. The Board during the last decade has supplied considerable money for buildings and equipment at the college. This is hardly a just procedure. The money the department receives is for service. It is paid by people who deal in various products inspected, and is therefore not a tax on all alike. While it is true that it is very difficult so to regulate these fees that the income will just equal the cost of inspection, and furthermore, the benefit of this inspection work goes to the farmers as a class, yet the fee system has been generally discredited and it would be far better for the state to maintain her public institutions by money received from public taxation.

EXTENSION AND EXPERIMENT SERVICE

This is the most important branch of the state's service and is undoubtedly doing the most far-reaching good, but the administrative policy and methods have not been such as to bring the best results.

It is under the supervision of a joint committee composed of 4 members from the Board of Agriculture and 4 from the Board of Trustees of the college, with the commissioner of the former and the president of the latter as *ex-officio* members. The committee appoints the director of extension who is also director of the experiment station. No one who is not acceptable to the Federal Department can be appointed to this position.

This joint committee arrangement has its advantages as well as its disadvantages. Both institutions provide money towards the support of this service and therefore should be represented in its expenditure. To deny them this privilege would not only tend to cut down the finances but would also weaken the co-operative spirit and let the work drift back to a disorganized condition. Co-operation and organization are absolutely essential to the success of the work. On the other hand the organization of the committee undoubtedly opens the door for undue political influence.

During 1917 the Extension Service received $301,742 from the following sources, federal $127,735, state $79,007 (of which $30,603 was from the Department of Agriculture funds), and county $95,000. In addition there was $87,000 allotted to the state through the Federal Government by the passage of the emergency food production act. The Experiment Station received $30,000 from the Federal Government, $8,087 from the sale of farm products and $89,500 from the Department of Agriculture funds. This makes a grand total of $516,329 for this branch of the service, less than 10 per cent of which was raised by direct state appropriation.

The most important part of the Extension Service is the work of the county and home demonstration agents. In July 1917, there were 69 of the former and 48 of the latter. A year later, largely because of the emergency federal appropriation, all the counties but 4 had men agents and there was a corresponding increase in the number of women agents. On the whole, this group of men and women are intelligent, enthusiastic and thoroughly devoted to their much varied work which is directed by state agents—one for

the men and one for the women—who are under the immediate supervision of the director. A large corps of specialists help the agents in various projects. Over the county agents, in addition to the state supervisor and specialists, there are five district supervisors each having immediate supervision in his district.

County Agent Work

This work logically falls under four heads as follows: 1. adult work, 2. club work, 3. community work, 4. marketing. The lines of demarkation between these various phases are not as clearly marked as in some other states.

1. *Adult work.* The best work of this character was found in the Piedmont section. Some counties have a good crop rotation system with especial emphasis on providing the necessary leguminous crops to build up the soil so badly depleted by the old system of farming. Several good live stock associations were found and strong efforts were being made to build up this industry. Good work was found in the development of better seeds and grains, in terracing and in campaigns for better gardens. The "live at home" program has been emphasized and carried out by many agents with marked success. This feature of the work was the least developed in the Coastal section. Many agents in this section had come from other states and had just been appointed; they had not fully grasped the difficult problems before them and consequently were much confused. Heavy demands were made on their time to fight the ravages of disease among animals. This made it necessary to deal with individuals rather than groups of farmers and tends to defeat one of the most essential principles of demonstration work, namely co-operation, or rather to prohibit its development.

2. *Children's club work.* On the whole the club work is inadequately organized and poorly developed. In charge of it is a state club agent who co-operates with the state agent, the supervisor of the county agents. Theoretically the club agent's instructions go through the state agent to the county agent but in many instances he deals directly with the county agents. This tends to confuse both as to the importance of the work and the division of jurisdiction. Consequently, to a very large degree, county agents are doing as they please about club work, developing it if they like it or see its importance. The weakness lies in the lack of definite planning.

The work is not generally organized on the group or community basis, but the agent usually works directly with the individual club member.

There is also a decided lack of balance in the work, which tends to defeat the end sought. As an illustration, one agent had a large number of pig club members and had secured for them at considerable expense thorough-bred pigs. The writer with the agent visited a number of club members and found every boy had his pig shut up in a small pen. No provision had been made for necessary pastures or a properly balanced ration. Besides, the agent was requested a number of times to find a market for the offspring. This he was doing and many had already been shipped out of the county. The agent is not to blame for this. He simply lost his perspective. Proper supervision and direction would have brought him back and made him see the need and importance of developing the whole program.

3. *Community work.* Some very good work especially where it was co-ordinated with that of the home demonstration agent, was found in this connection, chiefly in the Piedmont section. Many counties have community fairs once a year. Except in one county no evidence, however, was found of a systematic attempt to provide for the social and recreational needs of country life at regular and stated intervals. The State Department of Education has a Bureau of Community Service, which provides motion picture shows and entertainments in communities it has organized. The local community pays two-thirds the cost, and the state one-third. This work has not been in operation long enough to have a very marked effect upon the situation, but it has splendid possibilities. It should be linked up more closely to the Extension Service.

4. *Marketing.* This feature of the work has been slow in developing. During the many years when there was neither guidance nor protection by the state the marketing system developed with as much irregularity as did the farming system . It became infested with an army of parasites and it will be difficult to get rid of them and lay a sound foundation for successful marketing. Furthermore it will have to develop in conformity with the national policy because the very nature of the problem makes it impossible to confine it to any one state or locality. The co-operative spirit must be thoroughly developed before there can be successful marketing. This means the "let alone" policy must be abolished. The state has a good

man at the head of this work but the same criticism applies here as to the club work, only he usually waits till the county agent requests his services. In some parts of the state, especially among the truck farmers of the Coastal Plains, co-operative marketing has made a creditable beginning. Some county agents were successfully disposing of farm products for the farmers, but in most instances there was a lack of a marketing organization.

In summing up the work of the county agents it will be seen that there are three things lacking. First: adequate co-operation. The machine is built on the co-operative plan, yet the people who operate it have not learned the full meaning of that word. Second: uniformity. To illustrate. Three certain county agents were found in the Piedmont where the conditions and needs are practically the same—one was working with adults, especially in demonstrations and in building up live stock organizations, the second was developing club work, and the third advocating soy beans as a means of preparing the soil for better crops. Each of these agents was doing good work but was developing a single phase of it, largely to the exclusion of the others. Third: adequate supervision. Not only is the lack of this injuring the work but is also placing an undue hardship upon the men. A number of the agents have become discouraged, some have quit and others are planning to leave because they feel they are not getting the proper instruction and support from those directing the work. Proper administration would supply each of these deficiencies.

Home Demonstration Work

This is undoubtedly the best single piece of work found in the state. It is admirably directed and has a splendid scheme of organization. The agents generally meet the women and girls in groups, either at the schoolhouse or at the home of some member. Little or no time is lost in dealing with individuals. Practical instruction and demonstrations are given in canning and the preserving of fruits and vegetables, in sewing and in fact all phases of home economics in addition to the consideration of community problems. The girls' club work probably received a slight set-back because of a little too strong emphasis of the commercial element in the canning work when the agents were not able immediately to dispose of the products, but this was of little consequence. The work is growing and developing at a rapid pace.

Besides the work of the county and home demonstration agents, the Extension Service also carries on work in animal husbandry, dairying, agrimony, horticulture, botany, entomology, farmers' institutes and in many other ways in addition to the issuance of bulletins.

FINANCES

There is expended in the state for agricultural development approximately $950,000 annually. Of this amount the Federal Government contributes about one-third; the licenses, fees, etc., of the Agricultural Department bring in a little more than one-third; the counties furnish about one-tenth; the sale of farm products by state agencies about 2 per cent; the total state appropriation amounts to only about one-fifth of the whole amount. It is evident, therefore, that for the support of this great industry which directly concerns more than three-fourths of her people the state is supplying by actual appropriation far less than her share.

While the state has an organization capable of splendid development and while a vast sum of money is being spent for agricultural work, yet the problems that organization and finance are to meet and solve are such as to demand the best and most efficient service from each. The task is so big and of such vital importance, that the agricultural leaders must see to it that no motion is lost through its organizations, or its finances unwisely spent.

LAND TENURE

Over 37 per cent of the farms are operated by tenants, and this figure has been constantly on the increase. The per cent of tenant-operated farms is about the same in the Piedmont section as in the Coastal section, being 44 in the former and 43 in the latter. The highest per cent of tenant-operated farms is in the eastern Piedmont and the western Coastal, following closely the cotton and tobacco belt. Here are found the greatest number of men who own many tracts of land, and many plantation and large tract owners. Home ownership is the rule in the Mountain section. The improved acreage per tenant farm in the Coastal section is 32.9 acres, in the Piedmont 31.3 acres. Of the improved acreage on both owners' and ten-

ants' farms, the Mountain section had 24 per cent in corn, 5 per cent in wheat, 13 per cent in cotton and less than 1 per cent in tobacco; the Piedmont, 24 per cent in corn, 10 per cent in wheat, 3.3 per cent in tobacco and 13 per cent in cotton; while the Coastal had 33 per cent in corn, 3 per cent in tobacco, 23 per cent in cotton and less than 1 per cent in wheat.

Cotton and tobacco are the chief money crops, affording in 1910, 53 per cent of the total value of all farm crops. There is a very close relationship between the kind of crops and the character of tenure. The cash crops have had a very definite influence on developing the tenant class. Until very recently the landlords have insisted on the raising of the cash crops and even today with all the counteracting agencies, this insistence is far from being completely removed.

SOIL

This unguided system of farming has had disastrous effects upon the soil. Even in those sections where cotton and tobacco have not been extensively raised, there has not been proper rotation of crops. This has necessitated a greater use of commercial fertilizers. The policy has been to drive the soil for all it was worth, putting back into it only what was absolutely necessary to make another crop. There has been a decided lack of cultivated grasses and pasture lands. Farms have been unfenced. There has been considerable opposition to the enforcement of quarantine against diseased animals. Consequently the livestock industry has not grown as it should. True, the work of the state's agencies is counteracting these things but it is only a beginning. Large sections of the state are scarcely touched because the value of the agent is neither seen nor appreciated.

FORMS OF RENTING

The usual method is share cropping, which is of two kinds. 1.—Where the landlord furnishes motive power, tools and equipment and half the fertilizer, he receives half the crop. This is the prevalent form in the cash crop sections, and these tenants are usually referred to as *croppers*. 2.—When the tenant has the motive power, tools and equipment and furnishes three-fourths of the fertilizer for the cotton and two-thirds of the fertilizer for the corn, he

receives three-fourths of the cotton and two-thirds of the corn. Most of the tobacco comes under the first mentioned form. There is also cash renting in which the landlord is paid in money, but more often in so many bales of cotton, or so many pounds of tobacco.

These forms of renting are mentioned in the order of their importance as to numbers engaged, and also show the respective stages through which the tenant usually passes into the landowning class. All these forms are closely supervised by the landlord. The first is perhaps the most pernicious. The tenant has nothing but his labor and consequently has little to say about the farm procedure. Things must be done as the landlord says. Little opportunity is given for the development of initiative in the tenant farmer.

CROP LIENS

This system was perhaps the best that could be devised at the time since the state had so signally failed to extend any aid or even recognize the problem. At the close of the Civil War there was plenty of land and plenty of labor but no capital for operating expenses. The tenant above all had no money, consequently he turned to the supply merchant. Since the borrower had no chattels to secure the loan, the merchant was compelled to take a mortgage on the only thing he had, which was his growing crop, for many of these tenants were roving, shiftless and dishonest and sought to evade the payment of their honest debts. This mortgage is known as a crop lien. Unfortunately, however, honesty was no more at a premium among the merchants than among the tenants. With their better training and education, together with the general lack of laws upon the subject, they soon plunged the tenants and small landowning class into a system that kept them in debt from one year's end to another. Thus the merchant as well as the landlord was also in a position to say what crops should be raised.

Fortunately the state has passed a good usury law which will undoubtedly reduce to a minimum the abuse of high interest charges. It is hardly to be expected, though, that any good law can in a comparatively short time eliminate the evils which the system had permitted to become so deeply rooted. Law will not make unscrupulous persons deal fairly until that law has become thoroughly imbedded in public opinion, and until the people thoroughly understand what

protection the law affords. Ignorance is the greatest single factor in keeping the system in existence.

Supply merchants are still doing a flourishing business, especially in the small towns. These are general merchandise stores supplying everything the farmer needs. He has depended on this method of getting his supplies so long he scarcely knows or realizes any other exists. He has been accustomed to get what he wants, making little or no inquiry about the price. When fall comes and he sells his cotton or tobacco, he pays his bills if he has enough, if he hasn't, he signs a paper. He doesn't know the value of cash or, by watching the markets, what a saving of a few cents on the price of goods would mean to him at the end of the year. The majority of the tenants can not save anything, but even those few who could save something will not, because they do not know the first principles of thrift.

Many large land owners, especially on the plantations, conduct commissaries of their own. These are usually situated on the farm near where the owner lives. The tenants are furnished most of the things they need without the trouble of going to town. Often these owners, although shrewd, are very ignorant and their system of bookkeeping most unsatisfactory. The majority are not intentionally dishonest, but the system makes serious abuses possible. Many landlords and supply merchants, particularly the latter, buy the farmer's products. In many instances it is necessary in order to protect themselves, but the buying process is subject to the same evils as the selling. The one outstanding fact is that the merchant-landlord class has made money—in fact, grown wealthy at the expense of the tenant farmer. While the hazards have been great, yet the returns received have been out of proportion to the risks taken and the service rendered. These farmers are subjugated in producing, buying and selling.

LABOR

This system had made it necessary for all members of the family to work in the fields. It is no uncommon sight to see the father, mother, children down to as young as 5 years of age, with the baby lying in a basket or on a poorly improvised bed at the end of the row, working in the cotton or tobacco fields from early morn till late at night. Modern farm tools are generally lacking, consequently the work must be done by hand. Certain crops require hand work.

By far the great majority of child laborers in the state are in agriculture. Some kind of protection should be thrown about these children of the soil. Is the effect of hard labor and long hours of toil any different on the children because found on the farm? But, it is argued, these children work for their parents and therefore are not subject to the same kind of treatment as might be expected in industrial plants. Let us not be deceived. Where parents are so ignorant and where the economic situation is so tense, we can hardly expect these people to approach the welfare of their children with a very high ideal. Oftentimes they may want to do better but cannot.

With so much of the time of the tenant and of his entire family spent in the field, he has neither opportunity nor inclination to have a garden and raise his own vegetables. The value of having his own meat and dairy supplies is not yet understood but the special campaigns for "living at home" recently conducted by the Extension Service are having a marked effect, and many for the first time are raising their own gardens, meat and dairy supplies. Yet, many families were found who still prefer to depend on the commissary or supply merchant, or more often do without. Consequently the children must pay for this with an improperly balanced ration. Add to this, monotony, lack of wholesome recreation and play, the God-given rights of children everywhere, and we can readily understand some of the factors entering into the poor health score of the rural sections.

WATER SUPPLY

At 194 rural homes studied by students of various colleges during the summer, only 15 springs and 34 wells were closed, the remainder being open and unprotected. This situation is especially bad in the Coastal section, because the wells are very shallow. The water is usually drawn with a bucket; only 22 of the farms had pumps and in only 6 cases was the water piped to the house. Many farms were found without any wells, and it was necessary to carry the water, often long distances. Drainage is bad. Many cases were found in which filth, sewage and refuse from the house and barn were drained toward the well. At 111 of these rural homes surface water drained into the wells—this condition alone is responsible for much of the mortality from malaria and typhoid.

HOUSING

Conditions in this respect are equally bad. Many houses are scarcely habitable. The students found 68 per cent without screens. Out of the 194 homes visited, 4 had no cook stove, 29 no sewing machines, 110 no telephones, 62 of the houses were in a bad state of repair, and 71 were only in fair condition. The tenant, not owning the land, is not inclined to care for it, but tolerates the condition, knowing that at the end of the year he may move. On the other hand, the landlord, because of this attitude and the destructiveness of so many tenants, will not make repairs. Consequently the condition continues. The students found 100 homes without toilets of any description. In 78 others, privies were found, but these as a rule do not meet even the lowest standards of health requirements. Many schoolhouses were seen without toilets, thus increasing not only the moral hazards, but also greatly lowering health standards.

The barrenness, poverty, lack of home comforts, home conveniences and home cheer are so striking in these homes that one does not wonder that those who dwell in them are of a roving, shiftless disposition. Even in the case of those who are contented, it is not the contentment of success and a struggle well accomplished—it is, rather, resignation to defeat. The odds have been against them so long that they have ceased to struggle and therefore it is difficult to interest them in the home, church, school or community.

During the last year or two the farmer has received abnormally high prices for his products and has had a surplus at the end of the cropping season after debts were paid. But he soon falls a victim of the hordes of agents who radiate from the small towns and have "just the thing" the farmer needs, and usually at an exorbitant price. These range from automobiles to nostrums and "horse doctor books." Because of his lack of thrift and his ignorance he soon parts with his money, and the essentials for the farm and family are still lacking. The writer found a number of cases in which the farmers had been charged exorbitant prices for pianos, sewing machines, set of books, etc. One farmer had purchased an orchard of "the very finest and best fruits to be looked after and cared for for three years." At the end of the first year nearly all the trees had died and he could get no response from the company, although he had written repeatedly and was expecting a letter "most any time."

Prof. Branson has said "Our wealth-producing power is enor-

mous, our wealth-retaining power is feeble." We realize the full significance of this statement when we see the agricultural system in operation.

SCHOOLS

Undoubtedly one of the most important factors in the making and perpetuation of the system has been ignorance. Adam Smith's statement about agriculture might well be changed to read "the policy of the nation has been more favorable to the schools of the towns and cities than to those of the country."

According to the report of the State Superintendent of Schools for the year 1915-16 the school population was 826,320, 80 per cent of whom were in the rural districts. The enrollment was 81 per cent in the country and 69 per cent in the city, but the average daily attendance based on the enrollment was only 67.7 per cent in the former and 73.7 per cent. in the latter. The average length of the school term in the country was 114.6 days, in the city 169.4 days. The country teacher received an average monthly salary of $39.79, while the city teacher received $51.22. The average per capita expenditure based on the average daily attendance was $11.78 per country child, and for the city child $25.08. The per capita investment per country child was $9.35 and for the city child $32.71.

Why this discrimination against so many children as to whom there is no other criticism than that they live in the country? Are they of so much less importance that the state can afford to neglect them in this manner?

The conditions in North Carolina are perhaps no worse than in other states, for everywhere for the country child it is the same story —the poorest paid and trained teachers, the smallest per capita expenditure and investment, and the most unsatisfactory methods of raising money for school purposes.

It has been a long, hard fight to convince the people of the state that education is a function of the state and therefore should be supported by public taxation. This struggle is not yet over. Difficulties of administration and compulsory attendance have militated against the success of the rural school system, but is not its lack of success due more to the fact that the wrong kind of system has been established and fostered? Would not a really useful and usable school system have done more to create an educational atmosphere than

has compulsion? Ought not education itself to be leading rather than driving? The school system is not teaching as much of outdoors as indoors, and thus preparing for life in the country. Culture has been its dominant chord. It has trained a few for college rather than many for life.

The educational leaders have generally failed to see that the rural school is not meeting the needs of the country boy and girl. They have tried in vain to make the purely cultural system meet their needs, but these children, as any other group, must have education that will teach them in terms of their own life. Textbooks must be written by people who know and understand the rural point of view and not ground out as "so much dope" by the factories in the cities as is the case today. Not that the cultural side should be given up but that there should be such a balance between the vocational and cultural as would insure all children alike everywhere an education adapted to their needs. When the country children are properly educated and when the economic adjustments are made so as to assure the families a living income and a reasonable enjoyment of the good things of life, North Carolina may expect the drift to the cities to stop—but not before.

COLONIZATION

Another problem calling for serious consideration is land colonization. According to the census of 1910, 71 per cent. of the state's area was in farms. This was an actual decrease of 1.4 per cent over that shown by the 1900 census, whereas for the United States as a whole there was an increase of 4.8 per cent. Only 28 per cent of the land in the state is improved acreage. This was an increase of 5.8 per cent over that of 1900, whereas for the United States as a whole, the increase was 15.4 per cent. Some of this land is in the Mountain section and perhaps can never be reclaimed, although some of the most productive lands in the state are these fertile mountain sides. Vast tracts of timberland have been wantonly cut over and are lying idle in the hands of the speculator. Adequate drainage would reclaim thousands of acres of swamp lands. Some of these lands are now being improved by investment companies, the capital coming from outside the state. They are performing a good service and should receive a fair return for it, but while the state has the oppor-

tunity it should see to it that the land is sold to people who will farm it, and at a reasonable price. Otherwise it will continue to be manipulated by speculators.

There are many private colonizing companies, some doing good work, others taking advantage of the situation. As an illustration of the latter, the writer found a colony of people brought in from another country. They were not accustomed to this kind of soil or the kind of crops to be raised, consequently their new venture was far from successful. They were dissatisfied and wanted to sell out, but could not, for they could get only a fraction of what they had paid. The promoter had bought the land for a nominal sum—probably near its value, and had tripled and even quadrupled the price to the settlers.

Richard T. Ely in *The American Economic Review* for September 1918, says: "Private colonization, if successful, must accomplish three purposes: first, it must afford a reasonable profit to those who sell the land and undertake to finance the colonization scheme; second, it must give the settler and his family an opportunity to work on the land, to gain a livelihood while working, to make a farm and acquire complete ownership of it in a reasonable time; and in the third place, each colony must advance the interests of society." Generally money and not service is the watchword of the North Carolina colonization promoters. However, the writer found one settlement in which these three principles seem to have been used. At least he is certain the interests of society were being advanced. It is a colony of Italian Presbyterians, thoroughly Americanized. It is the best and finest illustration found in the state, of co-operation and community building and incidentally successful farming. They were constantly seeking the aid and advice of the county agent on both farm and community matters.

CREDIT

This is a factor that should receive most serious consideration. It is badly needed both for the operating and the buying of farms. John Sprunt Hill, a member of the American Commission on Rural Credits, and a citizen of Durham, said in a speech before the State Convention of Farmers, August 26, 1915: "Credit based on commercial money is today costing the farmer in North Carolina about 38

per cent. Reports of bankers in 19 counties where cotton is grown showed that the farmers paid about 19 per cent more for supplies bought on credit than for supplies bought for cash and that such accounts with the farmers run on an average of six months. . . . It is no wonder that while the census reports show that the farmers of North Carolina produce in value of products, on an average more per acre than almost any other farmers in the United States, yet today the per capita wealth of the North Carolina farmer is only $322, while that of the farmer of the middle-west, who enjoys 5 and 6 per cent credit, is about $3,000. It is no wonder that all other branches of business are advancing in North Carolina while the great industry of agriculture is lagging behind." This is a serious challenge to the agricultural leaders of the state. Much of the good work now being done will be nullified by continuing to neglect this part of the program. Agriculture needs credit the same as any other business, and it must be provided under conditions that will let the industry live.

The state has a law authorizing the establishment of credit unions, and a few associations have been formed, but they have not had a very healthy growth. Of all the money expended for extension service during 1917-1918 only $800 was used for the development of rural organizations. The state provides no money whatever to be loaned to farmers. The Federal Farm Loan Board loans to those who can furnish half the value of the land as security. On November 30, 1917 there were 68 federal farm loan associations in the state. Loans applied for amounted to $64,983.19 and loans approved $21,990.46. This is splendid, but a very large percentage of the farmers, the very ones who need it most, cannot take advantage of it because they haven't the money to make the initial payment on the land. The infamous crop lien system has left them without the power to borrow under the present banking system. Consequently they must continue in the old system. They have little hope of relief for the state is not preparing the groundwork for helpful legislation.

In summing up the situation for the entire state it is evident that many changes should be made. The Agricultural and Mechanical College should be made a real agricultural institution through which the interests of the entire state are advanced by a sincere approach to the subject of agriculture. The Extension Service should be strengthened so as to perform its full function. More money should

be provided from state taxes for agricultural development. The rural school system must be built anew and must provide such training as will teach as much of outdoors as indoors. Health and sanitary measures are needed. Settlers must be protected as to price and quantity of land they are induced to buy, and adequate credit must be provided.

This is a stupendous task—one calling for the best men with the best talent and experience the state possesses. No others can do it. North Carolina cannot tolerate these conditions. Equality of opportunity and social justice must come to all her people alike.

RURAL SCHOOL ATTENDANCE

EVA JOFFE

To combat illiteracy, North Carolina passed in 1913 a compulsory education law requiring all children between the ages of eight and fourteen years to attend school for at least four consecutive months each year. According to the census of 1910 there were in the state 291,497 illiterates (white 132,666, negro 156,303, Indian 2,511, Chinese 17) or 18.5 per cent of the total population ten years of age and over. Five years have passed since the law was enacted. What are the conditions now? Is the law being enforced? Are the children attending regularly or are they still staying out of school for reasons valid or otherwise?

To learn the answers to these questions so far as they concern rural conditions, the National Child Labor Committee, with the cooperation of the State Department of Education and the State Normal and Industrial College, made a study in the spring of 1918 of rural school attendance and causes of absence in the thirteen counties of Beaufort, Buncombe, Cleveland, Guilford, McDowell, Onslow, Pitt, Richmond, Robson, Rowan, Simpson, Stokes and Watauga. As only a limited number of schools in each county could be visited, it was necessary to choose very carefully only those that could fairly be considered typical and the choice was entrusted to the County Superintendents of Schools whose aid was enlisted through the courtesy of the State Superintendent of Public Instruction. In the thirteen counties 144 rural schools were visited, 88 of these having only one teacher, 45 two teachers, 10 three teachers and 1 four teachers.

The plan called for visits to more one-teacher schools, but it was found impossible to cover a larger number because many had opened early in the fall and the term being short, had closed by the time the study was made and the teachers could not be located. In a few cases however, the teachers of schools already closed were found and the records obtained. Another difficulty lay in the fact that many one-teacher schools had been in session only two or two and a

half months at the time of visit, having been closed part of the term on account of bad weather, and their records were consequently incomplete for the purposes of the inquiry. Such schools opened late, after most of the autumn farmwork had been done, and because of the unusually cold weather in the spring such work was delayed and therefore had not affected school attendance as ordinarily. The absences owing to weather, bad roads and illness, in all probability were also not representative, because these schools had been closed from two to six weeks in the term.

The visits to the schools were made in twelve counties by six agents of the Committee and in one (Guilford) by students of the State Normal and Industrial College under the direction of one of the agents. As the length of the term and the dates of beginning and closing vary greatly in different parts of the state, the visits were made in February, March and the early part of April, but it was not possible in all cases to get the desired information at the very end of the term.

The records as to sex, age, grade, and number of days each child had been absent up to the date of the visit to the school, were copied from the teacher's register—the age and grade being those at the beginning of the term. In each case the teacher assigned the causes of absence and the total number of days missed for each cause; when in doubt, she consulted the child or others who might know the reason.

The teacher also supplied the information as to each child's promotion or failure at the end of the term; the home tenure of the parent; whether the child, when absent from school on account of work, was employed away from home; and whether the child lived with his parents.

The causes of absence were grouped under the following heads:

Farmwork and *housework* as causes are self-explanatory.

Illness includes not only illness of the child, but also any illness in his family which obliged him to stay at home, quarantine, fear of infection at school, and death in the family.

Weather includes long distance from home to school and bad roads; bad weather alone would not necessarily interfere with attendance if the child lived near the school and the roads were passable.

Indifference: on the part of the parent or child as evidenced by "just staying away," visiting other families, or otherwise flagrantly neglecting school attendance.

Poverty: absence from school for lack of proper clothes or required school books. Absences due to work on account of poverty are not entered under this heading, but charged directly to work under the corresponding heading.

Miscellaneous: known causes not falling under any of the above groups.

Unknown: when the causes of all or some of the absences were unknown to the teacher and could not be ascertained, the days missed were entered under this heading.

Moved in or out of the district: the number of days the child missed because of having lived in another district part of the time the school visited was in session.

All children were grouped according to the home tenure of parents and the causes of absence. The children of parents who owned their homes were classified as "owners' children"; of those who rented their homes as "tenants' children" and when it was not learned whether the parents owned or rented the home, they were classified as "home tenure unknown."

In the case of a child whose family moved into the district after the school had opened or moved out before the agent's visit, the record of attendance was necessarily incomplete for the term, because it covered only the period of enrollment in the one district and no record of his possible attendance in the other district of residence was available. The child might have gone to another school regularly and only missed the days necessary for moving, and it would therefore be unfair to count the whole time as absence. It was impossible to follow up such cases and no attempt was made to do so. All children whose families moved in or out during the school term were grouped together under the heading "migrants" to distinguish them from the others or "non-migrants," for whom full records of attendance were obtained.

The "non-migrants" absent for any reason were classified as:

Farmworkers: children absent for farm work, regardless of absence for other causes, unless for a longer period for house work.

Houseworkers: children absent for house work; also all those absent for house work and farm work, house work causing the longer absence.

Other classified absentees: all those absent for any reason other than farm work or house work.

The wisdom of using such a classification may be questioned but the results obtained show it to be perfectly logical. One day of farmwork does not make a child a farmworker and in all probability the results would have been more striking could the real farmworkers (who do farmwork regularly year in and year out and stay away from school for this reason) have been grouped separately from those children who, because of some emergency, stayed away this year only to work for a brief period. But such a division was impracticable, and therefore all who did farmwork were classed as farmworkers. Nevertheless the figures lead one to believe that their absences were chronic, as will be shown further on.

TABLE A—Number of Schools Visited and Enrollment of Boys and Girls, 8–15 Years, Inclusive, by Counties

Counties	Number of			Total
	Schools Visited	Boys	Girls	
Beaufort	11	173	158	331
Buncombe	11	322	264	586
Cleveland	5	167	127	294
Guilford	26	514	480	994
McDowell	11	203	186	389
Onslow	10	190	149	339
Pitt	12	160	128	288
Richmond	8	105	94	199
Robeson	11	124	109	233
Rowan	11	167	149	316
Sampson	8	134	133	267
Stokes	12	272	231	503
Watauga	8	164	165	329
Total	144	2,695	2,373	5,068

Table A gives by counties the number of schools visited and the number of enrolled boys and girls, 8 to 15 years inclusive, for whom the information was complete enough for use. These children numbered 2,695 boys or 53 per cent of the total and 2,373 girls or 47 per cent of the total.

TABLE B—Number of Children Classified by Absentee Groups, Sex and Home Tenure of Parents

Sex and Home Tenure	No. of Children						
	Non-Migrants				Migrants	Daily Attendants	Grand Total
	Farm-workers	House-workers	Other Classified Absentees	Total			
Owners' Children....	1,244	341	1,357	2,942	189	226	3,357
Boys.....	925	26	613	1,564	95	110	1,769
Girls.....	319	315	744	1,378	94	116	1,588
Tenants' Children....	556	149	434	1,139	500	38	1,677
Boys.....	373	11	233	617	270	20	907
Girls.....	183	138	201	522	230	18	770
Home tenure unknown.....	11	4	13	28	6	.....	34
Boys.....	10	1	5	16	3	.....	19
Girls.....	1	3	8	12	3	.....	15
Total.....	1,811	494	1,804	4,109	695	264	5,068
Boys.....	1,308	38	851	2,197	368	130	2,695
Girls.....	503	456	953	1,912	327	134	2,373

Table B gives the number of non-migrant boys and girls classified by home tenure and absentee groups; the number of migrants; and the number of daily attendants (those who did not miss a day up to the agents' visits). The owners' children numbered 3,357 or 66.2 per cent of the total; the tenants' children 1,677 or 33.1 per cent of the total; for 34 or 0.7 per cent, home tenure could not be ascertained. There were 925 (59 per cent) farmworkers among non-migrant owners' boys and 373 (60 per cent) among non-migrant tenants' boys. The non-migrant farm working owners' girls numbered 319 (23 per cent) and the tenants' girls 183 (35 per cent). There were only 38 boys among the houseworkers. Among the non-migrant owners' girls there were 315 (23 per cent) houseworkers and among the tenants' girls 138 or 26 per cent. If we combine the number of girls who stayed away from school for farmwork with those absent for housework, we find that 46 per cent of the owners' girls and 61 per cent of the tenants' girls missed time for these two causes.

The migrants were not sub-divided into absentee groups as were the non-migrants because the group "other classified absentees" includes all children whose absences were not due to farmwork or housework, and the migrants might have done such work in the school term in the other districts of residence.

A few children had not missed a day up to the time of the visits to the schools. These were classed as "daily attendants," being 6.2 per cent in the group of owners' boys; 7.3 per cent among the owners' girls, 2.2 per cent among the tenants' boys and 2.3 per cent among the tenants' girls.

Tables C and D give the total number of days non-migrant children, eight to thirteen years inclusive, should have attended through the term to the time of visit; the number of days they were present; the total loss of time for all causes combined; and the per cent of absence based on the total number of days they should have attended. When the cause of absence is considered, irrespective of home tenure of parents, we find that proportionally the farmworkers were absent more than either houseworkers or "other classified absentees" (those absent for known causes exclusive of farmwork or housework). For both sexes the per cent of absence for each group was nearly the same; farm working boys 30.2 per cent; girls 30.3 per cent. Other classified absentees: boys 25.5 per cent;

girls 25.9 per cent. Houseworkers: boys (too few for computing), girls 28.5 per cent.

TABLE C—NUMBER OF DAYS NON-MIGRANT BOYS, 8–13 YEARS, INCLUSIVE, SHOULD HAVE ATTENDED UP TO DATE OF VISITS TO SCHOOLS; NUMBER OF DAYS PRESENT AND ABSENT, BY ABSENTEE GROUPS AND HOME TENURE OF PARENTS

ABSENTEE GROUPS AND HOME TENURE	Number of Boys	NUMBER OF DAYS BOYS			Per Cent
		should have attended	were present	were absent	
Owners' boys	1,252	118,012	88,390	29,622	25.1
Farmworkers	658	61,779	44,851	16,928	27.4
Houseworkers	23	2,190	1,750	440	†
Other classified absentees	571	54,043	41,789	12,254	22.7
Tenants' boys	517	48,571	31,633	16,938	34.8
Farmworkers	288	27,051	17,130	9,921	36.7
Houseworkers	9	859	594	265	†
Other classified absentees	220	20,661	13,909	6,752	32.6
Total*	1,779	167,490	120,668	46,822	28.0
Farmworkers	951	89,284	62,284	27,000	30.2
Houseworkers	33	3,136	2,422	714	†
Other classified absentees	795	75,070	55,962	19,108	25.5

* Totals include all for whom home tenure could not be ascertained.
† Too few children for computing percentages.

If home tenure is considered without regard to causes of absence, we find that the owners' children were absent shorter periods of time

TABLE D—Number of Days Non-Migrant Girls, 8–13 Years, Inclusive, Should Have Attended Up to Date of Visits to Schools; Number of Days Present and Absent, by Absentee Groups, and Home Tenure of Parents

Absentee Groups and Home Tenure	Number of girls	Number of Days Girls			Per Cent
		should have attended	were present	were absent	
Owners' Girls	1,121	104,610	78,889	25,721	24.6
Farmworkers	239	22,698	16,333	6,365	28.0
Houseworkers	210	19,138	14,573	4,565	23.9
Other Classified Absentees	672	62,774	47,983	14,791	23.5
Tenants' Girls	448	42,735	28,118	14,617	34.2
Farmworkers	148	14,720	9,742	4,978	33.8
Houseworkers	114	10,378	6,544	3,834	37.0
Other Classified Absentees	186	17,637	11,832	5,805	32.9
Total*	1,578	148,181	107,422	40,759	27.5
Farmworkers	387	37,418	26,075	11,343	30.3
Houseworkers	327	29,766	21,284	8,482	28.5
Other Classified Absentees	864	80,997	60,063	20,934	25.9

* Totals include all for whom home tenure could not be ascertained.

than the children of tenants. The owners' boys, eight to thirteen years inclusive, were absent 25.1 per cent of the time they should have attended, while the tenants' boys of the same ages were absent 34.8 per cent; again the girls' absence was about the same as that of the boys: owners' girls 24.6 per cent, tenants' 34.2 per cent. Turning to farm working owners' and tenants' children we find that the farm working tenants' boys were absent proportionally more than the farm working owners' boys: 27.4 per cent for the latter and 36.7 per cent for the former. Again in these groups the

girls were absent nearly as much as the boys: owners' girls 28.0 per cent; tenants' girls 33.8 per cent. Now, if we compare within each group, the "farmworkers" with the "other classified absentees," we find that among owners' boys the farmworkers were absent 27.4 per cent while the "other classified absentees" were absent 22.7 per cent of the time they should have attended. Among the tenants' boys the farmworkers were absent 36.7 per cent and the other absentees 32.6 per cent. The same is true in the case of the girls, except that the difference between the per cents for the tenants' girls is only 0.9.

Neither of the sexes shows much advantage over the other in the matter of school attendance, but owners' children stay away proportionally less than tenants' children. Without considering home tenure, the farmworkers stay away longer than children absent for other causes. Farmworking tenants' children miss more days of school than any other class.

Tables E and F give figures for the fourteen- and fifteen-year-old children separately, as they are above the compulsory attendance age. The number is too small to be conclusive and this should be borne in mind by the reader. Unless the numbers justified it, percentages were not figured at all as they might be misleading. We find the fourteen- and fifteen-year-old children were absent longer periods than the eight to thirteen-year-old children of the same groups. The same tendency found among the eight to thirteen-year-old children prevails when home tenure of parents is considered: owners' boys were absent 42.5 per cent of the time they should have attended; tenants' boys 53.4 per cent; owners' girls 35.9 per cent; tenants' 43.8 per cent.

But when we come to farmworking boys we find a tendency different from that found among the eight- to thirteen-year-old children. The farmworkers are absent on the average less: other classified absentees (owners' boys) were absent 44.8 per cent; farmworking owners' boys 42.4 per cent; all tenants' boys were absent 53.4 per cent and farmworking tenants' boys 51.9 per cent. Of the 312 owners' boys and 97 tenants' boys, 85 per cent were farmworkers. Among the girls, farmworkers were absent the longest periods. All girls, when compared group for group with the boys, were absent shorter periods of time than the boys.

Whether or not farmworkers were really absent chiefly for farm-

work, it will be possible to ascertain only from detailed tables where the actual loss of time for each cause is given. Such information was available only in eleven of the thirteen counties visited. In two counties and in one school of another county, information was obtained as to the cause of each child's absence, making it possible to classify the children properly, but the number of days lost for each cause was not learned; for this reason the pupils of these schools are not included in the tables giving the time lost separately for each cause.

TABLE E—NUMBER OF DAYS NON-MIGRANT BOYS, 14 AND 15 YEARS OLD, SHOULD HAVE ATTENDED UP TO DATE OF VISITS TO SCHOOLS, NUMBER OF DAYS PRESENT AND ABSENT, BY ABSENTEE GROUPS, AND HOME TENURE OF PARENTS

ABSENTEE GROUPS AND HOME TENURE	Number of Boys	NUMBER OF DAYS BOYS			Per Cent
		should have attended	were present	were absent	
Owners' Boys	312	29,123	16,737	12,386	42.5
Farmworkers	267	25,100	14,445	10,655	42.4
Houseworkers	3	239	200	39	*
Other Classified Absentees	42	3,784	2,092	1,692	44.8
Tenants' Boys	97	9,163	4,267	4,896	53.4
Farmworkers	83	7,693	3,703	3,990	51.9
Houseworkers	2	220	159	61	*
Other Classified Absentees	12	1,250	405	845	*
Total †	415	38,827	21,294	17,533	45.2
Farmworkers	355	33,217	18,428	14,789	44.5
Houseworkers	5	459	359	100	*
Other Classified Absentees	55	5,151	2,507	2,644	51.3

* Too few children for computing percentages.

† Totals include all for whom home tenure could not be ascertained.

TABLE F—NUMBER OF DAYS NON-MIGRANT GIRLS, 14 AND 15 YEARS, SHOULD HAVE ATTENDED UP TO DATE OF VISITS TO SCHOOLS, NUMBER OF DAYS PRESENT AND ABSENT, BY ABSENTEE GROUPS AND HOME TENURE OF PARENTS

ABSENTEE GROUPS AND HOME TENURE	Number of Girls	NUMBER OF DAYS GIRLS			Per Cent
		should have attended	were present	were absent	
Owners' Girls	257	24,215	15,529	8,686	35.9
Farmworkers	80	7,520	4,677	2,843	37.8
Houseworkers	105	9,831	6,354	3,477	35.3
Other Classified Absentees	72	6,864	4,498	2,366	34.5
Tenants' Girls	74	6,884	3,874	3,010	43.8
Farmworkers	35	3,435	2,068	1,367	†
Houseworkers	24	1,948	1,039	909	†
Other Classified Absentees	15	1,501	767	734	†
Total*	334	31,381	19,631	11,750	37.4
Farmworkers	116	11,052	6,800	4,252	38.5
Houseworkers	129	11,779	7,393	4,386	37.2
Other Classified Absentees	89	8,550	5,438	3,112	36.4

* Totals include all for whom home tenure could not be ascertained.
† Too few children for computing percentages.

Table G gives the number of boys eight to thirteen years inclusive and the number of days they missed for each cause. We find that 577 farmworking owners' boys missed 15,377 days, or each on the average 26.6 days. Of these, 17.5 days were lost for farmwork, 4.2 days because of illness, 3.3 days because of weather and 1.6 days for all other causes. The 230 farmworking tenants' boys lost 8,423 days or each on the average 36.6 days. Of these, 23.0 days were lost on account of farmwork, 4.9 days because of illness, 5.5 days because of bad weather or roads and 3.2 days for all other causes.

TABLE G—Number of Days Non-Migrant Boys, 8–13 Years Inclusive, Were Absent for Specified Causes, by Absentee Groups and Home Tenure of Parents

Absentee Grouas and Home Tenure	Total		Number of Days Absent on Account of							
	Boys	Days Absent	Farm-work	House-work	Illness	Weather	In-difference	Poverty	Misc.	k
Owners' Boys	1,102	27,107	10,083	262	7,713	4,349	3,540	434	668	58
Farmworkers	577	15,377	10,068	74	2,418	1,924	617	91	154	31
Houseworkers	23	440	15	188	129	54	27	.....	.....	27
Other Classified Absentees	502	11,290	.....	.....	5,166	2,371	2,896	343	514	.....
Tenants' Boys	442	15,119	5,315	133	2,937	2,947	2,601	585	559	42
Farmworkers	230	8,423	5,305	59	1,130	1,279	463	45	102	40
Houseworkers	9	265	10	74	62	25	82	10	.....	2
Other Classified Absentees	203	6,431	.....	.....	1,745	1,643	2,056	530	457	.....
Total*	1,554	42,488	15,455	400	10,686	7,393	6,183	1,019	1,252	100
Farmworkers	812	23,951	15,430	133	3,573	3,251	1,080	136	277	71
Houseworkers	33	714	25	267	191	79	109	10	4	29
Other Classified Absentees	709	17,823	.....	.....	6,922	4,063	4,994	873	971	.....

* Totals include all for whom home tenure could not be ascertained.

This shows not only that farmworking tenants' boys lose more time than farmworking owners' boys, but that the time is lost chiefly for farmwork, the average loss being 5.5 days greater in the case of the former than in that of the latter. The 502 owners' boys who were absent for neither housework nor farmwork, lost 11,290 days or each on the average 22.5 days; 10.3 days because of illness, 5.7 because of indifference and 4.7 days because of bad weather or roads. The 203 tenants' boys who were absent for neither farmwork nor housework missed 6,431 days or each on the average 31.7 days. Each one of the owners' children lost on the average because of illness 10.3 days, while each one of the tenants' children lost 8.6 days; but because of the weather, tenants' boys lost 8.1 days—nearly double the number of days lost for this reason by owners' boys. Each tenant's boy lost on account of indifference 10.1 days or nearly double the average loss of each owner's boy for this reason, and poverty caused each tenant's boy to miss on the average 2.6 days, a cause of absence of slight importance among owners' children. It is possible that poverty was also indirectly the cause of part of the absence charged to indifference, as this is often apparently the result of ignorance occasioned by poverty. The absence directly due to bad weather may also be indirectly due to poverty because of the lack of proper clothing.

Table H gives the same information for girls eight to thirteen years old inclusive. The 210 farmworking owners' girls lost 5,804 days or each on the average 27.6 days. Farmwork was the cause of only half their absence (13.4 days); illness (6.0 days) and weather (6.3 days) being responsible for nearly all the rest. The 124 farmworking tenants' girls lost 4,489 days or each on the average 36.2 days, farmwork again, being the cause of only half the absence. The time missed because of illness (6.1 days) and weather (6.1 days) is about the same as in the case of owners' girls. Each of the 192 houseworking owners' girls lost for housework only 10.2 days on the average and in addition 1.2 days for farmwork. This combined loss is less than half of all the time they missed, the total being 23.0 days. Each of the 111 houseworking tenants' girls lost on the average 16.5 days for housework, again less than half the total average loss; illness claiming 4.1 days; weather 7.8 days, and indifference 2.7 days. Housework is really not a serious problem among eight- to thirteen-year-old children, as only a comparatively small number

TABLE H—Number of Days Non-Migrant Girls, 8–13 Years Inclusive, Were Absent for Specified Causes, by Absentee Groups and Home Tenure of Parents

Absentee Groups and Home Tenure	Total		Number of Days Absent on Account of							
	Girls	Days Absence	Farm-work	House-work	Illness	Weather	Indif-ference	Poverty	Misc.	Un-known
Owners' Girls	1,001	23,532	3,057	2,131	8,875	5,982	2,914	178	367	28
Farmworkers	210	5,804	2,824	177	1,270	1,318	184	.....	12	19
Houseworkers	192	4,416	233	1,954	1,079	902	170	4	65	9
Other Classified Absentees	599	13,312	.....	.....	6,526	3,762	2,560	174	290	.....
Tenants' Girls	400	13,590	2,554	1,972	3,162	3,083	1,830	559	340	90
Farmworkers	124	4,489	2,324	135	753	760	250	145	66	56
Houseworkers	111	3,796	230	1,837	457	863	297	62	16	34
Other Classified Absentees	165	5,305	.....	.....	1,952	1,460	1,283	352	258	.....
Total*	1,408	37,452	5,611	4,152	12,063	9,110	4,954	737	707	118
Farmworkers	334	10,293	5,148	312	2,023	2,078	434	145	78	75
Houseworkers	306	8,295	463	3,840	1,549	1,786	467	66	81	43
Other Classified Absentees	768	18,864	.....	.....	8,491	5,246	4,053	526	548	.....

* Totals include all for whom home tenure could not be ascertained.

of them stay away from school for this reason and the average number of days they lose on this account is not large.

Each of the 599 owners' girls who did neither farmwork nor housework missed on the average 22.2 days, of which 10.9 were lost because of illness, 6.3 because of bad weather and 4.3 because of indifference. Each of the 165 tenants' girls missed 32.1 days on the average, of which 11.8 were lost because of illness, 8.9 because of weather, 7.8 because of indifference and 2.1 because of poverty.

These two tables show that even though the total loss of time is on the average the same for both sexes, the boys stay away longest because of farmwork and indifference and the girls because of illness and weather. Absence on account of poverty is a little higher among boys than among girls.

Tables I and J give the same information for fourteen and fifteen-year-old children. Each of the 230 farmworking owners' boys missed on the average 40.3 days of which 34.1 were lost for farmwork, all the other causes combined making a total of 6.2 days. Each of the 71 farmworking tenants' boys lost 48.5 days on the average, of which 41.6 were lost for farmwork, leaving a loss of fewer than 7 days for all other causes combined. Each of the 65 farmworking owners' girls lost 35.5 days on the average, with a loss of 19.1 days for farmwork, and each of the 102 houseworking owners' girls lost on the average 32.9 days, 20.2 days being due to housework.

Other classified absentees (owners' girls) missed each on the average 33.8 days, of which 11.7 were lost because of illness and 18.2 because of indifference. This shows that these fourteen- and fifteen-year-old girls stayed away chiefly for no valid reason whatever, but one must bear in mind that the number is too small to justify general conclusions. The numbers of tenants' girls also are too small to be in any way final. The figures for boys fourteen and fifteen years old show that farmwork is almost the only cause of absence among farmworkers.

TABLE I—Number of Days Non-Migrant Boys, 14 and 15 Years Old, Were Absent for Specified Causes, by Absentee Groups and Home Tenure of Parents

Absentee Groups and Home Tenure	Total		Number of Days Absent on Account of							
	Boys	Days Absent	Farm-work	House-work	Illness	Weather	Indif-ference	Poverty	Misc.	Un-known
Owners' Boys	266	10,814	7,849	21	755	411	998	.....	776	4
Farmworkers	230	9,280	7,849	.....	487	345	312	.....	283	4
Houseworkers	3	39	.....	21	.....	8	10	.....	.....	.....
Other Classified Absentees	33	1,495	.....	.....	268	58	676	.....	493	.....
Tenants' Boys	85	4,354	2,956	9	266	105	620	83	299	16
Farmworkers	71	3,448	2,954	.....	173	104	124	.....	77	16
Houseworkers	2	61	2	9	.....	.....	.....	.....	50	.....
Other Classified Absentees	12	845	.....	.....	93	1	496	83	172	.....
Total*	357	15,419	10,930	30	1,021	535	1,725	83	1,075	20
Farmworkers	306	12,872	10,928	.....	660	468	436	.....	360	20
Houseworkers	5	100	2	30	.....	8	10	.....	50	.....
Other Classified Absentees	46	2,447	.....	.....	361	59	1,279	83	665	.....

* Totals include all for whom home tenure could not be ascertained.

TABLE J—Number of Days Non-Migrant Girls, 14–15 Years Old, Were Absent for Specified Causes, by Absentee Groups and Home Tenure of Parents

Absentee Groups and Home Tenure	Total		No. of Days Absent on Account of							
	Girls	Days Absent	Farm-work	House-work	Illness	Weather	Indif-ference	Poverty	Misc.	Un-known
Owners' Girls	235	7,959	1,422	2,235	1,769	705	1,781	.....	32	15
Farmworkers	65	2,305	1,242	172	332	221	326	.....	1	11
Houseworkers	102	3,356	180	2,063	638	225	217	.....	29	4
Other Classified Absentees	68	2,298	.....	.....	799	259	1,238	.....	2	.....
Tenants' Girls	67	2,889	859	621	370	265	625	34	99	16
Farmworkers	30	1,279	763	146	180	100	29	.....	48	13
Houseworkers	23	893	96	475	113	123	73	.....	10	3
Other Classified Absentees	14	717	.....	.....	77	42	523	34	41	.....
Total*	305	10,902	2,299	2,865	2,154	979	2,406	34	134	31
Farmworkers	96	3,626	2,023	327	527	321	355	.....	49	24
Houseworkers	125	4,249	276	2,538	751	348	290	.....	39	7
Other Classified Absentees	84	3,027	.....	.....	876	310	1,761	34	46	.....

* Totals include all for whom home tenure could not be ascertained.

TABLE K—Number of Days Migrant Children* Should Have Attended Up to Date of Visits to Schools; No. of Days Present and Absent, by Sex and Home Tenure

Sex, Age and Home Tenure	No. of Children	Number of Days Children			
		should have attended	were present	Were Absent	
				on account of living in other districts	for all other causes
Owners' Boys (8–13 yrs.).....	75	7,571	2,954	3,900	717
Tenants' Boys (8–13 yrs.).....	194	18,920	6,202	9,971	2,747
Total †.....	271	26,665	9,184	14,013	3,468
Owners' Boys (14 and 15 yrs.)..	11	1,238	541	540	157
Tenants' Boys (14 and 15 yrs.).	30	2,884	647	1,642	595
Total.....	41	4,122	1,188	2,182	752
Owners' Girls (8–13 yrs.).....	64	6,590	2,784	3,238	568
Tenants' Girls (8–13 yrs.).....	153	14,822	5,100	7,672	2,050
Total †.....	220	21,721	7,939	11,128	2,654
Owners' Girls (14 and 15 yrs.)..	15	1,470	593	698	179
Tenants' Girls (14 and 15 yrs.).	16	1,479	457	879	143
Total.....	31	2,949	1,050	1,577	322

* Include only those children for whom detailed information as to number of days absent was obtained.

† Include all whose home tenure could not be ascertained.

Table K gives the total number of days the migrant children should have attended; the number of days they were present and the number of days of their absence from the schools visited due to (1) having lived in other districts in the same term and (2) to all other causes. The absences of migrants were divided into these two groups so as not to charge the children with absence from the schools visited while they lived in other districts where they may

have attended in the same term. From this table we see that the eight to thirteen-year-old owners' boys were absent 51.5 per cent and tenants' boys 52.8 per cent of the time they should have attended the schools visited, because of residence in other districts. The fourteen and fifteeen-year-old children were too few in number to permit computing percentages of their absence. The girls eight to thirteen years old missed a little less time than the boys: owners' girls 49.1 per cent and tenants' girls 51.8 per cent of the time they should have attended, because of having lived in other districts.

The records for these migrants cover only half the period the schools visited had been in session, but show nevertheless that the tenants' children were absent proportionally longer than owners' children if we take into consideration only the absences incurred while enrolled in the schools visited. The owners' boys eight to thirteen years old lost 717 days or 9.5 per cent, and tenants' boys 2,747 days or 14.5 per cent, of the time they should have attended; owners' girls lost 8.6 per cent and tenants' girls 13.8 per cent of the time they should have attended. The difference is even more striking, if we deduct from the number of days the children should have attended, the number of days they were absent from the schools visited because of having lived in other districts and base the percentages of absence on the remainder, for in this case we find that owners' boys (eight to thirteen years) missed 19.5 per cent and tenants' boys 30.7 per cent, owners' girls (eight to thirteen years) 16.9 per cent and tenants' girls 28.7 per cent, of the time they were enrolled in the schools visited.

In Tables L and M the age and grade distribution of non-migrant owners' and tenants' children is given; also the per cent of children of each age. The percentages for the ages from eight to fifteen years inclusive are more uniform in the case of owners' children than in that of the tenants'. Of owners' children enrolled in the schools visited 8 per cent are fifteen years old, and of the tenants' only 5.3 per cent are of this age; this indicates that either through indifference or economic pressure the children of tenants leave school earlier, as it is hardly possible that there is any marked difference in the general population so far as the distribution among the ages of owners' and tenants' children is concerned. The requirements of the compulsory attendance law seem to make very little difference

TABLE L—Distribution of Owners' Children Among School Grades According to Age

Age	Grade										Total	Per Cent
	1	2	3	4	5	6	7	8	9	not given		
8 yrs.....	212	139	92	29	3					4	479	14.3
9 "	81	144	141	98	23	4				5	496	14.8
10 "	55	89	122	129	62	10	2			4	473	14.1
11 "	20	31	82	158	114	46	13			4	468	13.9
12 "	8	17	62	111	127	86	38	3		3	455	13.5
13 "	7	5	33	58	114	93	43	3	1	6	363	10.8
14 "	4	9	13	43	85	116	75	6	2	3	356	10.6
15 "		3	16	31	54	72	70	13	8		267	8.0
Total.....	387	437	561	657	582	427	241	25	11	29	3,357	100.0

in the children's enrollment; there are nearly as many fourteen-year-olds as thirteen-year-olds among the owners' children—10.8 per cent are thirteen years old and 10.6 per cent fourteen years old. Among the tenants' children there is a slight drop from 10.5 per cent (thirteen years old) to 9.0 per cent (fourteen years old), but there is a greater drop from twelve years (13.5 per cent) to thirteen years (10.5 per cent). Does this show that older children enroll as faithfully as younger ones notwithstanding the fact that the compulsory attendance law does not affect them? We know from the previous tables that neither the older children nor the younger ones attend regularly. The law is not enforced, as the children subject to its provisions commonly disregard it. Of the 144 schools 50 made no provision whatever for keeping the children in school the required four months. The indifferent attitude of ignorant parents towards the education of their children cannot be expected to change in their generation, so in most cases their children can be brought to school only through the enforcement of the attendance law. Improvements in educational facilities and teaching staff are of no avail, if the children are not there to take advantage of them.

TABLE M—DISTRIBUTION OF TENANTS' CHILDREN* AMONG SCHOOL GRADES ACCORDING TO AGE

AGE	GRADE										Total	Per Cent
	1	2	3	4	5	6	7	8	9	not given		
8 yrs.....	165	74	32	17	1					2	291	17.4
9 "	97	70	55	27	6	1				1	257	15.4
10 "	54	59	71	52	21	4				1	262	15.6
11 "	22	30	54	64	40	11	1			1	223	13.3
12 "	22	26	38	66	48	20	6			—	226	13.5
13 "	6	11	28	48	43	27	11	1		—	175	10.5
14 "	8	9	17	42	26	26	21	2		—	151	9.0
15 "	—	3	8	13	26	18	18	3		—	89	5.3
Total.....	374	282	303	329	211	107	57	6		5	1,674	100.0

*Age not given for two in 5th grade and one in 3rd grade.

In Tables L and M the children are divided into three groups—those ahead, normal and retarded. Those to the right of the heavy lines are ahead; those between them are normal; and those to the left are retarded. In other words, if a child of eight years is in the first, second or third grade, he is considered normally enrolled; so also is a child of nine when in the second, third or fourth grade; but a child of nine years in the first grade is classed as retarded and in the fifth or sixth grade as ahead. This classification was adopted because although it is usual to begin attending school at the age of six, in North Carolina the compulsory attendance law allows a child to stay out till eight years old. A child entering school at the age of six will, if regularly promoted, be in the third grade by the time he is eight years old; such a child may be classed as normal. But a child who is allowed by the law to stay out of school till he is eight years old, will under ordinary circumstances, be only in the first grade at that age and should therefore also be considered normal. For this reason a child of any age from eight to fifteen

TABLE N—Number of Owners' and Tenants' Children and Per Cent Ahead, Normal and Retarded

Age	Owners' Children							Age	Tenants' Children						
	Number	Per Cent							Number	Per Cent					
		Ahead	Normal	Retarded						Ahead	Normal	Retarded			
				1 yr.	2 yrs.	3 yrs.	4 yrs. or more					1 yr.	2 yrs.	3 yrs.	4 yrs. or more
8 yrs.....	475	6.7	93.3	—	—	—	—	8 yrs.....	289	6.2	93.8	—	—	—	—
9 "	491	5.5	78.0	16.5	—	—	—	9 "	256	2.7	59.4	37.9	—	—	—
10 "	469	2.6	66.7	19.0	11.7	—	—	10 "	261	1.5	55.2	22.6	20.7	—	—
11 "	464	2.8	68.5	17.7	6.7	4.3	—	11 "	222	0.5	51.8	24.3	13.5	9.9	—
12 "	452	0.7	55.5	24.5	13.7	3.8	1.8	12 "	226	—	32.8	29.2	16.8	11.5	9.7
13 "	357	0.3	38.9	31.9	16.3	9.2	3.4	13 "	175	—	22.3	24.6	27.4	16.0	9.7
14 "	353	—	23.5	32.9	24.1	12.2	7.3	14 "	151	—	15.3	17.2	17.2	27.8	22.5
15 "	267	—	7.9	26.2	27.0	20.2	18.7	15 "	89	—	3.4	20.2	20.2	29.2	27.0

years may be normally enrolled in any of the opposite three grades included between the heavy lines.

Because of the difference in age distribution among tenants' and owners' children, the comparison in percentages of normal and retarded is given for each age separately in Table N which is based on Tables L and M. The number of children of each age is also given so as to show upon what figures the percentages are based. In comparing age for age we find that the percentage of eight-year-old children ahead and normal is the same among the owners' as among the tenants' group. But if we turn to Tables L and M for the number of eight-year-old children in each grade, we find that they are distributed among the grades as follows, giving the percentages by home tenure for only the first three grades:

	First Grade	Second Grade	Third Grade
Owners' children	44.6	29.3	19.4
Tenants' children	57.1	25.6	11.1

This bears out the conclusion drawn from Tables C and F that the tenants' children attend school less regularly. As a result of irregular attendance they are promoted less regularly. But in all probability they also begin going to school at a later age and so are handicapped from the very start. The nine-year-old children show a very much higher percentage of retardation among the tenant class: 37.9 per cent of tenants' children as against 16.5 per cent of owners'. This is a further substantiation of the statement that children of the tenant class begin their schooling late. Among those ahead, the tenants' children are fewer in number and smaller in percentage than the children of owners. The total percentage retarded increases every year (with the exception of eleven-year-old owners' children) for both owners' and tenants' children, but in all cases the tenants' children are more retarded than the owners'. Among the fifteen-year-old children only 3.4 per cent of the tenants' and 7.9 per cent of the owners' are normally enrolled. When we compare those retarded four years or more, we find that among the twelve-year-old owners' children 1.8 per cent are retarded, while the same group of tenants' children shows 9.7 per cent; among

TABLE O—Number of Farmworkers and Other Classified Absentees Among Non-Migrant Owners' Children and Per Cent Ahead, Normal or Retarded

Age	Farmworkers							Age	Other Classified Absentees						
	Number	Per Cent							Number	Per Cent					
		Ahead	Normal	Retarded						Ahead	Normal	Retarded			
				1 yr.	2 yrs.	3 yrs.	4 yrs. or more					1 yr.	2 yrs.	3 yrs.	4 yrs. or more
8 yrs.....	113	1.8	98.2	——	——	——	——	8 yrs.....	283	6.7	93.3	——	——	——	——
9 "	117	2.6	69.2	28.2	——	——	——	9 "	261	5.4	79.7	14.9	——	——	——
10 "	163	2.4	62.0	22.7	12.9	——	——	10 "	210	3.3	66.2	18.6	11.9	——	——
11 "	164	3.0	59.8	23.8	7.3	6.1	——	11 "	201	3.5	73.6	12.9	7.5	2.5	——
12 "	166	0.6	50.6	25.3	16.3	6.6	0.6	12 "	175	0.6	55.4	24.0	13.7	3.4	2.9
13 "	169	——	33.7	30.8	18.9	13.0	3.6	13 "	99	1.0	46.5	23.2	19.2	7.1	3.0
14 "	194	——	19.6	31.9	26.8	12.4	9.3	14 "	66	——	34.9	21.2	24.2	10.6	9.1
15 "	150	——	6.0	26.0	28.7	18.7	20.6	15 "	49	——	12.2	22.5	16.3	24.5	24.5

the thirteen-year-old owners' children, the corresponding percentage is 3.4; among the tenants' 9.7 per cent; among the fourteen-year-old owners' children 7.3 per cent, tenants' 22.5 per cent; among the fifteen-year-old owners' children 18.7 per cent, tenants' 27.0 per cent.

One has to bear in mind that these tables include all children irrespective of the cause of absence and also of their residence in the districts visited or elsewhere in the same term. But we know that farmworkers were absent longer periods of time than other children and it is important to determine whether their absences for farmwork occurred only this year or are chronic by analysing tables where they are compared with other classified absentees.

From Table N we know that owners' children are less retarded than tenants' children and therefore in making further comparisons between farmworkers and other classified absentees, the home tenure classification is retained. In Table O the per cent of owners' children ahead, normally enrolled or retarded in each age group is given for farmworkers and other classified absentees. The per cent of pupils ahead of their normal grades is higher for the first four ages among other classified absentees than among farmworkers and for every age there is a larger per cent retarded among farmworkers.

In Table P the corresponding data are given for tenants' children. The numbers upon which the tables are based are really too small to be conclusive, but even here, with the exception of the eight and nine-year-olds (whose school attendance is naturally on account of their age not much affected by farmwork), the per cent normally enrolled is higher among other classified absentees than among farmworkers. Indeed in the case of the eight-year-old other classified absentees this is also true, considering that all such children are either normally enrolled or ahead. The per cent ahead of normal grade are higher among the nine- and ten-year-old farmworkers, but this can not be considered a contradiction of the previous findings because where there are only two or three children enrolled in a grade, the per cent must be higher where the total is smaller. The data in Table O more than those in Table P would naturally lead one to conclude that the farmworkers are chronic absentees for prolonged periods. When one considers that the other classified absentees include children absent chiefly or entirely because of indifference one realizes that the difference between farmworkers and other classified absentees might have been much greater had the numbers

TABLE P—Number of Farmworkers and Other Classified Absentees Among Non-Migrant Tenants' Children and Per Cent Ahead, Normal or Retarded

Age	Farmworkers							Age	Other Classified Absentees						
	Number	Per Cent							Number	Per Cent					
		Ahead	Normal	Retarded						Ahead	Normal	Retarded			
				1 yr.	2 yrs.	3 yrs.	4 yrs. or more					1 yr.	2 yrs.	3 yrs.	4 yrs. or more
8 yrs.....	61	3.3	96.7	—	—	—	—	8 yrs.....	114	6.1	93.9	—	—	—	—
9 "	66	3.0	65.2	31.8	—	—	—	9 "	80	2.5	65.0	32.5	—	—	—
10 "	92	3.2	45.7	27.2	23.9	—	—	10 "	76	1.3	63.2	21.0	14.5	—	—
11 "	64	—	43.8	29.7	17.2	9.3	—	11 "	58	1.7	62.1	15.5	13.8	6.9	—
12 "	81	—	28.4	27.2	22.2	12.3	9.9	12 "	46	—	36.9	23.9	17.4	10.9	10.9
13 "	72	—	20.8	26.4	26.4	15.3	11.1	13 "	32*	—	—	—	—	—	—
14 "	74	—	10.8	21.6	13.5	28.4	25.7	14 "	16*	—	—	—	—	—	—
15 "	44	—	2.3	15.9	18.2	34.1	29.5	15 "	11*	—	—	—	—	—	—

* Numbers too small for computing percentages.

permitted excluding all children absent largely because of indifference, for among these, chronic absence may be of even longer duration than among farmworkers.

The proportionately small number of migrants (695) makes the comparison between non-migrants and migrants not entirely conclusive, but in Table Q, we see that the per cents ahead and normally enrolled in each grade are higher among non-migrant tenants' children than among migrant tenants'. In all probability the families of the greater number of these migrant children move more or less regularly from place to place and at the time the children stay away from school longer than necessary.

The number and per cent of pupils promoted and of those who failed at the end of the term are given in Table R. Only the known cases of promotion or failure appear in this table. Of the 4,282 non-migrants, 58.6 per cent were promoted to the next higher grade and 41.4 per cent were to remain in the same grade another year. This high percentage of failure may not be entirely the fault of the children. Often, while visiting the schools, the agents noted that fairly regular and bright children were among those not to be promoted, because where the term is short, it is impossible to cover the prescribed work in one term no matter how bright or how regular in attendance the children are, so that in such cases one and a half or two terms are practically required to do the work assigned in the course of study for one term.

The owners' children again show to better advantage than tenants' children when compared by absentee groups. Among owners' children the per cent of promotion is lowest among farmworkers (55.2) and highest among daily attendants (89.8). Among the tenants the farmworkers are not the lowest in this respect, the other classified absentees being a little lower. Whether this was caused by indifference or because of a greater number of children in their grades for the first time, it is impossible to ascertain.

Farmwork, tenancy and migration of parents, poverty and indifference were found to be contributing factors to non-attendance and retardation of children in the schools visited. What improvement in attendance may be expected when the compulsory education law is enforced throughout the state? Are the children when in school, given every opportunity to learn? What education have the teachers themselves received? If their education is meager, are

TABLE Q—Number of Non-Migrant and Migrant Tenants' Children and Per Cent Ahead, Normal or Retarded

Age	Non-Migrants							Age	Migrants						
	Number	Per Cent							Number	Per Cent					
		Ahead	Normal	Retarded						Ahead	Normal	Retarded			
				1 yr.	2 yrs.	3 yrs.	4 yrs. or more					1 yr.	2 yrs.	3 yrs.	4 yrs. or more
8 yrs.....	200	6.5	93.5	—	—	—	—	8 yrs.....	89	5.6	94.4	—	—	—	—
9 "	171	3.5	63.8	32.7	—	—	—	9 "	85	1.2	50.6	48.2	—	—	—
10 "	198	2.0	55.1	22.7	20.2	—	—	10 "	63	—	55.6	22.2	22.2	—	—
11 "	150	0.7	54.0	23.3	14.0	8.0	—	11 "	72	—	47.2	26.4	12.5	13.9	—
12 "	157	—	35.0	27.4	18.5	10.8	8.3	12 "	69	—	27.6	33.4	13.0	13.0	13.0
13 "	123	—	23.6	22.0	30.1	14.6	9.7	13 "	52	—	19.2	30.8	21.2	19.2	9.6
14 "	107	—	15.9	17.8	16.8	27.1	22.4	14 "	44	—	13.7	15.9	18.2	29.5	22.7
15 "	67	—	3.0	14.9	20.9	34.3	26.9	15 "	22*	—	—	—	—	—	—

* Number too small for computing percentages.

TABLE R—NUMBER AND PER CENT OF PROMOTIONS AND FAILURES FOR YEAR ENDING JUNE 30, 1918 (BASED ON 4,707 KNOWN CASES)

	NUMBER			PER CENT	
	Yes	No	Total	Pro-moted	Not pro-moted
Non-Migrants	2,509	1,773	4,282	58.6	41.4
Owners' children	1,929	1,188	3,117	61.9	38.1
Farmworkers	676	550	1,226	55.2	44.8
Houseworkers	208	123	331	62.8	37.2
Other classified absentees	842	492	1,334	63.1	36.9
Daily attendants	203	23	226	89.8	10.2
Tenants' children	580	585	1,165	49.8	50.2
Farmworkers	265	282	547	48.4	51.6
Houseworkers	75	73	148	50.7	49.3
Other classified absentees	206	226	432	47.7	52.3
Daily attendants	34	4	38	*	*
Migrants	222	203	425	52.2	47.8
Owners' children	80	46	126	63.5	36.5
Tenants' children	142	157	299	47.5	52.5

* Number too small for computing percentages.

their salaries sufficient to enable them to take advantage of teacher training courses at institutions in their long vacation periods?

The education and training the teachers received and the number of years of experience they have had is presented in Table S, Of the 212 teachers 4 had only an elementary school education; 97 had attended high school, 4 of them for only 1 year, 7 for two years and 9 for three years. Of those who had attended high school twenty or 20 per cent were teaching for the first time, and the great majority (77 per cent) had been teaching only for from 1 to 5 years. Sixty-four had attended normal school, 15 of them or 23 per cent, for only one

TABLE S—Training and Number of Years of Experience of Teachers in Schools Visited

Education and Training	Total Years' Experience											Total
	1–5						6–10	11–15	16–20	21 and over	Not stated	
	1	2	3	4	5	Total						
Elementary School	—	1	1	—	1	3	1	—	—	—	—	4
High School	20	19	15	11	10	75	14	3	2	3	—	97
1 year	1	1	—	—	—	2	1	—	1	—	—	4
2 years	1	1	1	—	1	4	1	1	—	1	—	7
3 years	1	3	2	2	1	9	—	—	—	—	—	9
4 years	15	13	12	8	6	54	12	2	1	1	—	70
No. of years not stated	2	1	—	1	2	6	—	—	—	1	—	7
Normal School	10	10	7	7	3	37	15	6	5	1	—	64
1 year	4	3	2	2	1	12	2	1	—	—	—	15
2 years	2	—	2	1	2	7	2	2	—	—	—	11
3 years	1	1	—	—	—	2	1	—	1	—	—	4
4 years	2	—	3	—	—	5	—	—	—	—	—	5
No. of years not stated	1	6	—	4	—	11	10	3	4	1	—	29

TABLE S—Training and Number of Years of Experience of Teachers in Schools Visited—Continued

Education and Training	Total Years' Experience											Total
	1–5						6–10	11–15	16–20	21 and over	Not stated	
	1	2	3	4	5	Total						
College	8	9	2	2	2	23	3	5	1	1	—	33
1 year	4	4	—	2	1	11	2	2	—	—	—	15
2 years	1	1	2	—	1	5	1	—	—	—	—	6
3 years	—	1	—	—	—	1	—	1	—	—	—	2
4 years	1	2	—	—	—	3	—	1	—	—	—	4
No. of years not stated	2	1	—	—	—	3	—	1	1	1	—	6
Training not stated	—	1	—	2	1	4	4	1	—	2	3	14
Total	38	40	25	22	17	142	37	15	8	7	3	212
Per Cent	17.9	18.9	11.8	10.4	8.0	67.0	17.5	7.1	3.8	3.3	1.4	100.0

TABLE T—Monthly Salaries of Teachers and Length of Term* of Schools Visited

Monthly Salaries	Length of Term in Months										Total
	4 and under 4½	4½ and under 5	5 and under 5½	5½ and under 6	6 and under 6½	6½ and under 7	7 and under 7½	7½ and under 8	8 and under 8½	8½ and under 9	
$25 and under $30....	—	—	2	—	1	—	—	—	—	—	3
$30 and under $35....	1	1	2	—	—	—	—	—	—	—	4
$35 and under $40....	1	7	10	9	7	2	1	1	—	—	38
$40 and under $45....	4	6	18	7	10	3	3	1	2	1	55
$45 and under $50....	2	9	11	7	7	4	1	—	1	1	43
$50 and under $55....	1	4	6	4	7	3	4	2	3	1	35
$55 and under $60....	—	—	—	—	2	—	4	—	—	—	6
$60 and under $65....	—	—	—	1	6	1	1	1	1	—	11
$65 and under $70....	—	—	—	—	3	3	—	—	1	1	8
$70 and under $75....	—	—	—	—	—	—	1	—	—	1	2
$75 and under $80....	—	—	1	—	—	—	—	—	1	1	3
$80 and under $85....	—	—	—	—	—	—	—	—	—	1	1
Unknown.....	2	—	—	—	1	—	—	—	—	—	3
Total.....	11	27	50	28	44	16	15	5	9	7	212

* Teachers are paid only for the time the school is in session.

year; 11 for two years, and 4 for three years; 58 per cent of those who had attended normal school have had only from 1 to 5 years of experience. Of the 33 who had attended college, 15 or fewer than half had enjoyed this advantage only one year. In addition, 49 had attended summer schools once or twice and 14 oftener. Sixty-seven per cent of all the teachers have had only from 1 to 5 years of experience and only 18 per cent from 6 to 10 years.

Monthly salaries paid the teachers and the length of term are found in Table T. The salaries ranged from $25.00 to $85.00 per month; the length of term from 4 to 8½ months. Eighty-two per cent (based on 209 known cases) of the salaries were from $35.00 to $55.00 per month and only 15 per cent between $55.00 and $85.00. Indeed, only one teacher received $85.00. Seventy-five per cent of the salaries (those of 160 teachers) were paid only for from 4 to 6½ months of the year. The teachers who draw salaries for only this short period cannot afford the expense of improving their education.

It is unfortunate that even when the compulsory education law is enforced, the school should afford no better instruction than that given by a teacher with only an elementary education. The purpose of the law is largely defeated when the length of the rural school term is short and therefore the work prescribed in the course of study for one term requires 1½ or two terms to cover, Even when the term is long, the situation is not much improved because the aw requires attendance for only 4 months and the children who merely comply with this provision fall behind the others.

It naturally follows that the length of the school term should be extended and that the law should require attendance for the whole period.

CHILD LABOR

THERESA WOLFSON

INTRODUCTION

This survey of the child labor situation in North Carolina was made when the federal child labor law was in operation in every part of the state except the western judicial district. This law was declared unconstitutional by the United States Supreme Court in June, 1918. Its standards were very much higher than those of the state law. It barred from interstate and foreign commerce the products of factories employing children under 14 years of age or employing children between the ages of 14 and 16 years at night or more than eight hours a day, and these provisions were being enforced by an efficient group of federal inspectors, when the announcement of the Supreme Court's decision abruptly threw the children back upon the poor standards of the state law, a law which is mere paper legislation and is not enforced.

The first section of the state law prohibits the employment of any child under 12 years of age in any mill or factory and of any child between the ages of 12 and 13 except in apprenticeship capacity after having attended school four months in the preceding twelve months.

Section II of the state law provides "that no person under 16 years of age shall be employed or permitted to work in any mill, factory, or manufacturing establishment in this state between the hours of 9 p. m. and 6 a. m." Prior to the taking effect of the federal law this section was not enforced in the mills and factories because of the lack of proper authority. Now that the federal law no longer exists, the former conditions of unregulated hours of labor and ages of children employed are prevailing. Child messengers, drug clerks, elevator operators, and other workers outside of mills and factories may work all night without any legal intervention. These are occupations which are taken up by young children having no preliminary training and little education.

Section III of the state law provides that the employer of a child under the age of 13 years shall procure and keep on file, accessible to any inspector of factories or other authorized officer charged with the enforcement of the act, a certificate from the parent or guardian showing the name and age of the child, and in case he is under 13 and more than 12 years of age, the certificate must set forth that he has attended school four months in the preceding twelve months. But, again, there is no inspector of factories or specially authorized officer charged with the enforcement of this section—and consequently in only one town of the fourteen visited was any attempt at its enforcement noticed. In this place, Asheville, a truancy officer in the performance of his duty in connection with the school attendance law required the observance of the letter and spirit of the act.

The regulations under the federal child labor law required documentary proof of age, as parents' affidavits are notoriously unreliable. The state law, of course, requiring only a written statement, is hopelessly ineffective and now that the federal law has been nullified, the employers have slipped back into their former indifference to the state law.

The Commissioner of Labor of North Carolina, in his introduction to his report for 1916, asks that the right of entry and inspection be granted him. At present he has neither the power to act as inspector himself nor to engage others for such service. The administration of the state child labor law is in the hands of the county superintendent of schools. Since its enactment in 1913 up to date, so far as could be learned, no violations have been reported, although the census of manufacturers for 1915 shows that 10,595 children under 16 years of age were working in the manufacturing industries of the state; many hundreds more are working in unregulated industries. Whether or not it is impossible for the county superintendent of schools to investigate and report violations of the child labor law in addition to his school duties, it is certain that he is not doing this additional work.

The compulsory school attendance law requires a child between the ages of 8 and 14 years to attend school continuously for four months in the year. With the exception of Asheville, which has passed a special city ordinance requiring nine months' attendance and of Polk and Mitchell counties which require six months' attend-

ance, the state fixes four months as the minimum period for attendance, and after having complied with this requirement, children may go to work for the remaining eight months of the year. Indeed, this is the way the law is actually working out in many cities and rural communities. A superintendent of schools declared, "The four months' compulsory school law is a farce. It isn't enforced. As it is written, a child may remain in the first grade for several years. After attending school for four months he leaves, goes to work and returns the next year no further advanced in grade. This performance keeps up until he is of age to leave entirely. There is no incentive to study and no attempt to complete school."

The law authorises the appointment of attendance officers, but in the fourteen cities and towns visited the investigator found only four persons engaged in such work for full time, and two of these served also in the capacity of probation officers. In six cities non-attendance at school is reported to the chief-of-police by the teachers, and in the others, no efforts are made, aside from the occasional attempts of the teachers, to interest parents in keeping up the attendance. When non-attendance is reported to the chief-of-police, further action depends upon the initiative of that officer. In Wilmington good co-operation exists between school authorities and police in hunting up truants. In High Point, New Bern, Salisbury, and Durham there is little co-operation. In Charlotte, although there is a full-time attendance officer, the extent of truancy is extraordinary, due in part to abnormal conditions brought on by the war.

Time and time again school superintendents complain of the ineffectiveness of the compulsory education law. Where cotton mills or tobacco factories are the main industrial establishments, public sentiment in so far as it could be determined by inquiries is against its enforcement. The chief probation officer of Winston-Salem arrested four small boys who for several weeks had been "snapping school," as the children call truancy. They were hanging about town doing odd jobs and selling newspapers. Many people in the city were angered at this act and expressed the opinion that the children were better off at work.

The attitude, unfortunately common among the more ignorant that in spite of no schooling they "got along all right," naturally leads them to look upon attendance at school as waste of time and consequently they put their children to work because "it never

done me no harm." This feeling can be combated only through further enlightenment and a properly enforced compulsory education law. On the other hand several progressive movements are spreading over the state for more schooling and less child labor.

Asheville is the only city which prosecutes for truancy among white and colored children alike. A colored attendance officer looks after colored children, and attendance in their schools is almost equal to the enrollment. The principal of a colored school in Winston-Salem revealed conditions in declaring that if the compulsory education law were enforced as to colored children, the school authorities would not know what to do with the children because of lack of room. School facilities for colored children both as to buildings and instructors are very inadequate throughout the state, and as no attempt is made to oblige them to attend, negro child labor is very marked in almost every occupation of a more menial character.

The situation may be summarized thus: the state child labor law prohibits children under 12 from working in mills or factories; the compulsory education law requires the attendance at school for four months only of children between the ages of 8 and 14. The first is not enforced at all, the second is enforced only in certain localities. Therefore, except where a special ordinance lengthens the compulsory school attendance period, children are free to work at any age and at any time of the day or night after having attended school for four months. Where the school laws are not enforced, a child of any age may work at any occupation outside of mills and factories at any time.

The investigation covered the cities of Raleigh, Durham, Greensboro, Salisbury, New Bern, Wilmington, Fayetteville, Charlotte, Concord, High Point, Winston-Salem, and Asheville. Federal child labor inspectors were interviewed as to the extent of child labor in the mills but special attention was devoted to the employment of children in mercantile establishments, restaurants, hotels, messenger service, delivery service, laundries, printing establishments and the street trades.

Detailed information concerning ages, work, hours, wages and home conditions was obtained for 113 boys and girls between 9 and 16 years of age employed in these occupations. Of these children it was found that in school standing 7 per cent of them were ahead of the grades in which they would ordinarily be enrolled, according

to their ages; 40 per cent were in their proper grades; and 53 per cent were below where they should have been. These figures are based on the two-year standard whereby a child of 7 or 8 years should be in the first grade, one of 8 or 9 years in the second grade, one of 9 or 10 in the third grade, and so on.

CHARLOTTE

This is the largest city in North Carolina, its population being about 45,000. Although it is not the largest manufacturing city, it is undoubtedly the largest commercial center in the state. The test case against the federal child labor law arose in one of the Charlotte mills. The general sentiment of the people, combined with the unusual opportunities for earning money due to the proximity of Camp Greene, have made child labor and school truancy prevalent to an extraordinary extent.

Mercantile Establishments

Several firms owning a chain of department stores throughout the state have adopted the policy of employing young children as "delivery boys," "check boys," "check girls" and "wrappers." They pay on the average 35 cents for 13 hours of work on Saturday, from 8 a. m. to 10:30 p. m., with an hour for lunch and a half-hour for supper. It is also common for children to work after school from 3 to 6 p. m.; for a week's work, including all day Saturday, these school children receive $1.75 a week. The manager of one of these stores said, "The children waste more time and play around more than they really work. All they want is to earn a little spending money."

In the stores of these firms at Charlotte, the ages of the children employed range from 8 to 14 years. Twenty-eight little boys and girls were working, running back and forth with packages and "change," and at 10 o'clock at night they wend their way homeward, tired out, even though they do "play more than they work."

The large department stores employ but few children. Only one instance of the employment of a child under 14 in such establishments was found. Occasionally young girls of 15 and 16 are employed on Wednesday (one of the nights on which soldiers have permission to come to town) and on Saturday as extra help. Five-and-

ten-cent stores employ several of 14 and 15 as salesgirls. On Wednesday and Saturday nights these stores are open much later than usual. On these days the girls are on their feet all day until 10 o'clock at night. In certain of these stores stools are provided for the girls but they say, "We are not supposed to sit down because it spoils the business."

Several of the candy kitchens employ young salesgirls; one, 13 years old, worked in one of these places from 8 a. m. to 9:30 p. m. with an hour off for both her lunch and supper. She earned $7 a week. "I like my job, 'cause you see so many people and you can have fun with them all." Many of the smaller drygoods stores and grocery stores employ children as clerks or "wrappers." A boy of 14 was found running an elevator in one of the stores, while several boys of the same age were driving delivery wagons for the firms.

A survey of six drug stores showed that about 20 boys and girls ranging in age from 10 to 16 years were employed for long hours in the ice cream service. An 11-year-old boy was attending school in the daytime and working as "soda jerker" after school and evenings. His work hours were from 3 to 11:30 every other night and from 3 to 7 on the alternate nights, with an hour or half-hour for supper, depending upon the rush of business. On Saturday he worked from 12 noon to 12 midnight. Every other Sunday he worked 8 hours. Altogether he was working 51 and one-half hours a week in addition to attending school, and for this he received $6 a week. He had, of course, no time or inclination to do any homework; his work at school was very poor and often he fell asleep in class. According to his teacher he had a "head too old for his age" and was a bad moral influence upon the rest of the class. Another boy only 12 years old attends school in the morning and works 40 hours a week at a similar task, receiving $5. His work in school was bad—his mother complained that "she can't manage him" since he began to work.

Two little pale girls aged 11 and 13 years were "table hops" in one of these drug stores, taking the orders of customers and serving them. They worked after school, 41 and one-half hours a week. The 11-year-old girl said, "I'm always turrible sleepy an' my back aches but I make four dollars a week and the soldiers give me tips!" The school work of both these girls suffered, and their attendance was irregular.

Managers claim that it is difficult to get adult labor—that children are quick and as the busy period is in the afternoon and night they are not kept from school. "Besides the salary we give them, they get large tips from the soldiers." But seven hours daily in a drug store in addition to five hours at school is neither education nor training, nor recreation, nor anything else that should fall to the portion of a young child—it is exploitation pure and simple.

Cafés and Restaurants

In a tearoom of good reputation several young girls of 13 and 14 were employed as waitresses. One girl of 14 worked part-time as kitchen help and part-time as waitress, receiving $6 a week and tips. She was on her feet carrying heavy trays during the greater part of the day. At the time of this inquiry one café was under military surveillance because of the conduct of young waitresses toward soldier customers.

A 14-year-old boy waits on tables in a restaurant at a nearby amusement park. His hours are from 4 to 10:30 p. m. daily including Saturday, and on Sunday from 11 a. m. to 10:30 p. m. He is on his feet all evening. After his work is over he takes the car and rides back to the city. The next morning he goes to school. Boys of 14 and 15 were found employed as kitchen help in many of the cafés. All these children earn poor wages but the tips they receive considerably increase their income. According to their teachers, the effect of all this work upon their standing in school is noticeable in their retardation.

One of the bad features of this sort of work is the dependency upon "tipping" to make up the deficiency in wages. The child is taught at an early age to ingratiate himself in the customer's good graces. Highly objectionable traits are developed, so that aside from the physical and mental strain of the work there is a serious lowering of the morals of the child.

Places of Amusement

Young boys and girls are quite generally employed as ushers and "ticket-catchers" in the various places of amusement. In the ticket booth of a cheap burlesque house a 14-year-old girl collected tickets from 11 a. m., working more or less steadily until 9:30 p. m. "I

usually stay to see the end of the show, then one of the boys takes me home." She left school in the winter because she was anxious to earn money.

The teacher of a 12-year-old boy said he had done very poor work in school since he became usher in a moving picture house, because of fatigue. He worked from 3 until 10:30 p. m. every day except Sunday. "Boys are as good ushers as men; besides they're glad to see the pictures, and it really is more entertainment than work for them," one of the managers said. The teachers of those boys who work in this capacity complain of the poor work which the boys do and of their dull spirit in the classroom.

Messenger Service

The Western Union employs about eighteen boys from 11 years upwards as messengers. They are paid on the average two cents for delivering a message, the amount varying from one to three cents according to distance. For the delivery of packages they receive one-half of what the company charges—a sum which ranges from 7 to 15 cents. The all-night service has been discontinued, and according to the boys, the latest the office remains open is 2 a. m. Tips are large; the boys earn from $20 to $40 a month besides their tips if they put in "full time."

The recorder of the police court said, "Young boys of 11, 12, and 13 start their training as messengers—but by the time they are 15 and 16 and often before, they have been up before court for larceny, assault and all kinds of charges. Of 65 juvenile cases from May 1, 1916 to January, 1917 a great many received their early training in the art of doing evil while in the messenger service."

The Postal Telegraph employs fewer boys and these are somewhat older. They work under the same conditions, however, as the other messengers.

The superintendent of city schools said that as soon as a boy entered the messenger service after school hours he knew it would be but a short time before school was given up entirely. "The boys can be seen gambling and smoking about the office to while away time." The boy in the messenger service is or becomes so badly affected by his work that the principal of one of the public schools said indignantly, "The messenger service is no place for a nice boy or for any boy, for that matter."

Delivery Service

Although delivery service is largely monopolized by little colored boys, there are a few white boys who "carry trips." The average wages received by the colored children for delivering packages is $3 a week, the usual work hours being from 8 a. m. to 6 p. m. White boys receive more, from $4.50 to $6 a week. Boys working part time delivering for druggists, butchers and grocers are paid by the "trip" very much as the messenger boy is paid. In a great many cases they own bicycles which they use in their work; sometimes the bicycles are supplied by the stores, and at times the boys are forced to purchase wheels and pay for them on the instalment plan. In the latter case a great hole is made in the boy's wage by the extra expense. Frequently boys are kept at work delivering packages long after the establishment has been closed—this often means a long ride, an extra hour of work and no extra pay. The employer merely gets so much more service out of them, giving nothing in return.

Drivers and Chauffeurs

The increase in population occasioned by the presence of the army camp has created a very great demand for automobiles. Boys of 14, 15 and 16 have left school to "drive a jitney." A 14-year-old boy drove a "jitney" every day in the week from 9 in the morning until any hour in the night that he happened to be wanted. He received good money and has invested in "building and loan" shares. He was, however, only in the fourth grade when he left school. Several boys were found employed as drivers of trucks and delivery wagons.

Street Trades

Charlotte has two daily papers and the weekly and monthly Curtis publications; the daily papers of neighboring cities are also largely handled. Conditions are conducive to the development of a large newsboy group. The morning paper is ready for sale at 5:30 a. m. Very young sellers can be seen loitering about the newspaper office at four and five o'clock in the morning waiting for the first "batch." An 8-year-old boy with a large bundle of morning papers at his side was seen standing in the lobby of a hotel at 6:30 a. m.;

his papers were selling fast, and he said he always sold two batches in a morning. Another youngster was noticed running up and down the street at the "square" with a single copy in his hands, stopping passersby and crying, "Buy my last one, boss, buy my last one." As soon as he sold it he disappeared into a corner drug store and came back with another "last one."

The downtown business section is occupied by "steady sellers"—boys who control the right to certain corners. Private newspaper agencies manage the sale of out-of-town papers, and boys are hired by them on a commission basis. The school attendance of "newsies" working on this basis is very irregular and their school standing, as reported by the teachers, is low.

The boys with regular routes for the delivery of papers seldom get into trouble, but an officer of the police court reports that the "newsies" who "hang around the square" are always getting into scrapes. A certain 12-year-old youngster has a regular morning route—he must get up at 4 a. m. in order to be at the office on time; by 7 a. m. his route has been covered, when he goes downtown to sell papers until schooltime. After school he sells the evening paper. His weekly earnings average about $12. His schoolwork is poor—he is always sleepy and tired. He does not want to stop his newspaper work because of his profits. To young boys the selling of newspapers is alluring—it awakens the spirit of competition and is financially worth while. On the other hand, the moral effects are quite as bad as those of the messenger service. The gathering of restless boys about a newspaper office waiting for the papers to be issued gives opportunity for gambling and fighting.

The boys selling the Curtis publications are more proficient in school and do not seem to be affected by their work, as it does not make such heavy demands upon their time and energy.

Shoe-shine stands are owned by adults but are operated almost entirely by small colored boys between the ages of 9 and 16. In several instances the boys work for tips plus a certain per cent of the money taken in, in others they are paid regular wages. In almost all cases the boys must act as "barkers," planting themselves in front of passersby and shouting, "Shine, boss." This phase of the work is a public nuisance and bad training for the boys. The independent bootblacks found about railroad stations and hotel lobbies are of the persistent truant type. Of six little colored bootblacks of school

age, interviewed at a railroad station, only two had been to school this year, the rest had not attended for a "long time." The recorder of the police court declared that it was these little boys who were most frequently brought to court because of petty larceny and assault.

Few white boys were found working as bootblacks except in the army camp.

Early in May the investigator found a unique child labor situation at Camp Greene, a cantonment for 50,000 soldiers, two miles north of Charlotte. At any hour of the day and as late as 8 o'clock at night, little peddlers ranging in ages from 6 to 15 can be seen walking up and down the company "street" selling their wares to the soldiers. Exorbitant prices are demanded and paid. The "boys" pay 20 cents for a pie; candy and peanuts sell for double their usual price. Newspaper boys and bootblacks receive large tips.

Small booths and stores are built about the camp. Liberty Park, a former amusement place, has many of these which are the headquarters for boys selling candies and soft drinks. The owners employ the little fellows on a commission basis. Although no girls were found selling in the camp streets, several very young girls sold food stuffs at these booths.

In a personal canvass of every class in the white schools of Charlotte, it was learned that approximately 35 per cent of the 5,000 children enrolled had at that time left school or were working after school—"selling at camp"—in addition to those who left for other reasons. The school session ending at 12:30 noon for the lower grades, and at 2:30 for the upper grades affords ample time out of school hours to engage in "selling at camp." This means that there are a large number of children of school age wandering through the camp wards at any time of the day.

Aside from the child labor aspect there is the question of the cleanliness of the wares sold to the soldiers. It is no uncommon sight to see about 15 or 20 little boys sitting along the curbstone on the "square" waiting for the early car to take them to camp. Their baskets, uncovered or covered with a dirty rag or towel, are placed by their side. The dust and dirt from the street settles upon the food. Invariably, the little peddlers are barefoot, dirty and unkempt and handle the food with filthy hands.

Once at camp the stuff sells quickly. One little fellow boasts that "you could sell any old stuff to the soldiers and get a good price."

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"newsies" wh[illegible] *in so* poor a physical condition that a visit to his
scrapes. A [illegible] The three rooms were very dirty and full of flies.
route—he [illegible] *was made.* *three small children* crawled over the kitchen floor. Heaps of rags
by 7 a. m. [illegible] *and refuse* were piled up in the corners of the rooms. The mother
paper [illegible] *was ill and the* Red Cross nurse was treating two other members of
His [illegible] *the family* for trachoma. This was the room in which the pies were
h[illegible] *made for the soldiers.*

A visit made to the home of a 9-year-old boy who sold sandwiches *at camp* revealed similar conditions. A family of six lived in two *rooms.* The father was a mill worker, the mother was in an advanced *stage* of consumption and the oldest daughter, a girl of 17, took *care* of her. She also made the sandwiches. Often when the mother *began* coughing she would leave the sandwiches and attend to her, *then* return to the sandwiches without even washing her hands.

Two little 12-year-old merchants bought the left-over pies of a nearby bakery, warmed them up and sold them as fresh pies. The homes of two other sandwich peddlers were visited and these proved to be quite clean. The mothers, however, were keeping the boys from school because the sale of sandwiches added considerably to the family income. A little boy of 10 who went out to camp after school to shine shoes said he sold popcorn at Liberty Park; between the shoe-shining and the sale of popcorn he managed to earn a dollar an afternoon.

The opinion of one of the school principals that it is better for

be working out of school hours than hanging about doing
justified, because there is no recreation or vocational
ery effort should be made to supply this want at the
moment. The Y. W. C. A. has a club composed
king in one of the mills. An attempt was made to
hool but this was not successful. No organized
d for the young girls in the city—either those
o attend school. The Y. M. C. A. has trans-
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paid leader several years ago has been al-
. There are several small school play-
equipped, but there is no attempt at or-
of the schools. The high school has its basket-
, but beyond this children in the public schools have practically no athletics. Aside from the domestic science and the manual training courses in the schools there is no vocational training. The Boy Scouts Movement has so far reached only a few of the boys which an organization of the sort should get hold of.

For colored children there is no form of amusement except the social functions of the church. Colored people are permitted to sit in the gallery of Keith's theatre. While the investigator was in Charlotte, a movement was on foot to start a playground and moving picture house for colored people.

As conditions stand, a child between 8 and 16 years of age has no means of recreation unless he attends the moving pictures or amuses himself. The church organizations have several young people's leagues but do not furnish recreation for children, except in the form of infrequent picnics. Thus the child must be kept out of mischief by working. The fact that so many of the families have been deprived of one or more wage-earners as a result of the war is no reason why the city should sap its strength through such excessive child labor as now exists in Charlotte.

RALEIGH

Mercantile Establishments

The capital of North Carolina has about 25,000 inhabitants. Children are not employed so extensively as in Charlotte. The large department stores employ no children, and the manager of one said, "I

would not employ children because they are incapable of handling customers and, furthermore I believe they ought to be in school." Several owners of smaller stores expressed practically the same opinion. The managers of the two branches of the chain of stores mentioned refused to commit themselves; they admitted employing children as check boys and check girls but felt that they were helping them and their families.

In one of these stores 12-year-old Lillian worked as wrapper and packer from 8 in the morning until 6 at night, and on Saturday from 8 p. m. until 10 p. m. She was constantly on her feet in a small booth in the back of the store and was paid $3 a week.

A visit to her family disclosed that it was very poor, that the father had been ill for several months and the two older girls had to work. Maggie, the oldest girl, was 13 and was employed in a candy factory packing candy from 8 to 6 every day and earned $3 a week. Both sisters were frail, undersized and undernourished and had not attended school for almost six months. The factory was partly underground and its owner said he made it a point to employ only those girls who live with their parents so that the money he paid them was really only "pin money."

The 5 and 10 cent store employed three girls under 16 on Saturday and after school hours. During the Christmas holidays the manager said he employed about eight girls.

There were comparatively few boys under 16 found employed in the drug stores and none in the cafés and restaurants.

Amusements

There are but four moving picture houses, one of which has a cheap burlesque show in combination with the pictures, vulgar jokes being a feature of the performance, although women and children attend. Boys are employed as ushers in these houses. They work only in the evening and on Saturdays both during the afternoon and evening.

Messenger Service

The Western Union employs as messengers about ten boys whose ages range from 11 to 15 years. They are required to pay for bicycles and uniforms used in their work out of their earnings. The boys complain that should they leave the service before these

are paid for, the company retains uniform, bicycle and all and no money is refunded. The manager of the Western Union refused to give any information concerning the work of the boys or where they are sent.

The Postal Telegraph employs but three "steadies." If the need for more messengers arises, boys can always be had. The company hires only boys who have wheels and does not require the wearing of a uniform.

Delivery Service

Colored as well as white boys are used extensively to deliver packages for department stores, drug stores, grocery and meat markets. White boys usually work after school. Colored boys work throughout the day.

Street Trades—Newsboys

The manager of the morning paper said there were about 26 steady carriers who deliver papers. Their ages range from 11 to 16 and they average in earnings about $2.50 a week, the most enterprising youngster receiving $5 a week. The daily sellers vary in number from 15 to 30 and in ages from 6 to 14 years. As usual the railroad station and hotel entrances and restaurants are favorite points for the "newsie." "The smaller they are, the cuter they are—the more they sell"—said one hotel manager who saw no harm in a 6-year-old coming to the hotel at 6 in the morning and coaxing the passersby to "buy a paper." No small bootblacks were found. Aside from the messenger force which worked until 10 or thereabouts, no night workers were found among the street traders.

DURHAM

Homework

Conditions of homework such as one commonly expects to find in the congested sections of large northern cities exist also in the mill districts of Durham.

Some time before the enactment of the federal child labor law, certain mills in the vicinity installed simple looms in the homes of some of their employees. These looms enable the various members

of the family, including the children under 14, to work at home on sacks or bags. They involve no cost to the family, and the amount of electricity required to run them is very small.

The homework consists of "tagging bags"—small tobacco bags of the type containing loose tobacco,—"stringing bags" or drawing two strings through the hem to close the opening, and "turning the sacks" or turning them inside out and looping them on the machine.

In a school in the vicinity of the mill section having an enrollment of approximately 300, about 65 children between the ages of 8 and 15 were working from one to eight hours on this sort of homework. Sometimes they would stay away from school in order to work. The school principal said that the little children in the very low grades —6 and 7 years old—could string tobacco bags as quickly as the older boys and girls. He encouraged this after-school work as a means of earning money for thrift stamps and war saving stamps.

In a dirty mill shack a mother and four children worked at finishing sacks and stringing bags. The father was a mill worker. The mother and Julia, who was 6, worked almost all day. John, who was 8, attended school in the forenoon and came home and put tags on bags until bedtime. Frankie, 5 years old, and Letha, 3, strung several hundred tobacco bags a day. The mother said, "It keeps 'em busy and out o' mischief—I have no time to watch 'em."

Eight-year-old Jamesie tags about 300 bags in five hours and he receives about 15 cents. His standing in school is not good but he finds the work an easy way to earn money. Evelyn, 14 years old, loops sacks at home from 5 to 7 hours a day "dependin' on how I feel."

The work itself is taken into homes which are far from sanitary.

Mercantile Establishments

Large department stores do not employ children in any capacity. The smaller dry goods stores employ colored children for delivery service. In the 5 and 10-cent store there are young salesgirls. One of them, 14 years of age, complained of the excessive standing, "Standing all day on my feet jest about kills me—and Saturdays—lawdy! It takes me all day Sunday to rest up." She was frail and anaemic. For the long hours on Saturday from 8 a. m. to 10 p. m. and from 8 to 6 on week-days, she received $4.50 a week.

Two boys 13 and 14 years old, were found running elevators in two department stores.

The boys, employed as clerks or "soda dispensers" in the drug stores have shorter work hours than those working in Charlotte. The stores have combined and adopted a policy whereby each will be open one Sunday a month.

Amusements

In the three moving picture houses and the one vaudeville, boys of 11, 12 and 14 act as ushers. They receive $2.50 a week for evenings and Saturday afternoon.

The messenger service, like that of other towns, employs young boys. The delivery service was done partly by young white boys and partly by colored boys. When the employer owns a horse and wagon the boys drive it instead of riding about town on their bicycles. On a street parallel to the main thoroughfare there is a market for colored people where small colored boys work as clerks and delivery boys for the stores.

Street Trades

The manager of the Durham *Sun* said he employed about 40 boys as newsboys and carriers. There is little transient population and for that reason the street newsies are not seen in great numbers except about the railroad station. Carriers make about 50 per cent profit on their routes, amounting on the average to $2.50 or $3 a week.

WINSTON-SALEM

Winston-Salem with a population of over 35,000 is probably the largest industrial city in the state. The two prevailing industries are tobacco manufacture, and hosiery and cotton mills. There were over 600 children between the ages of 14 and 16 employed in these industries at the time the federal child labor law took effect. They were subject to the age and work-hour requirements of the law; but at the same time there were approximately 200 children in various unregulated industries between the ages of 6 and 15 years, working 8, 10, and in some cases 12 hours a day without public supervision of any sort. A large number of them have not attended school for several years.

The school principals were all anxious to have a longer school term. Some attendance work has been done by a very capable probation officer who was recently appointed. He has not attempted to handle the colored truancy problem, however. In addition each teacher has been asked to visit the homes of truants and to exert her influence in keeping up attendance.

In one of the largest paper box factories four girls and two boys under 14 years were found at work. In one of them, 14-year-old Viola worked on a huge automatic press which was much too high for her and she had to stand on her "tip-toes" in order to reach the lever. She said that the constant strain caused "her stomach to feel sore all the time." Her hours were from 7 a. m. to 6 p. m. with 45 minutes for lunch. She received $5.50 a week. "I'm afraid to leave this place 'cause I'm little and I don't look strong an' people won't take me. I ain't got enough learnin' to get an easier job." She had left school when in the third grade.

Lulu, a younger sister, works in the same factory and "bottoms boxes," which is easier work.

Mercantile Establishments

Little boys and girls were found employed in the two chain stores. The work was "only play" according to their employers, the children being "checkers" or "wrappers," but although many people, including the teachers, appreciated the fact that such young children should not be so employed, they could do nothing to prevent their employment. In the larger department stores, girls under 15 are employed on Saturdays or after school to act as salesgirls. The drug stores employ small boys to deliver packages; one was using a 12-year-old lad for this purpose from 7:30 p. m. to 7 a. m., sending him to all parts of the city. He attended school during the day and slept only four hours after school. This program, of course, was rapidly affecting his health and his work in school. The very long hours which these boys work must necessarily undermine their health and prevent their getting the full benefit of even the short schooling required.

In a bakeshop 13-year-old William was found working at night as apprentice to his father. The room was hot, poorly ventilated and poorly lighted; several men were working in the same room. The boy worked from 7 p. m. to 7 a. m. with an hour off at midnight. For this he received $3 a week.

Amusements

The moving picture houses employ schoolboys as ushers during the evening and on Saturday afternoon. An officer of the Y. M. C. A. tells of a 10-year-old boy who worked as usher for five months in a theatre and had become familiar with the manners of burlesque actresses; he served as a "go-between" for some of the actresses and men who frequented the theatre. He was a member of the Y. M. C. A. but his influence on other boys was so bad that he was forced to leave. He was arrested later for various offenses. He left school as soon as he began working. He smokes a great deal and is stunted.

Messenger Service

The messenger service of both telegraph offices engages boys ranging in age from 12 years upward. The delivery service of the various stores is largely handled by small white boys who are furnished bicycles by the firms. "Pressing clubs" employ colored boys ranging in age from 7 to 14 for the purpose of calling for and delivering clothes. They pay on the average $3.50 to $4 a week.

It was surprising to find a number of very young boys entrusted with the driving of automobiles and wagons. A 13-year-old youngster earned $6 a week driving a wagon to and from the brickyard for ten hours a day.

Street Trades

Two daily papers employ about seventy steady carriers—boys of various ages. In addition many newsboys are found shouting the evening or morning editions about the courthouse square and the station.

Recreation

Plans are under way for municipal playgrounds for both white and colored children. The Y. M. C. A. is very active and reaches about 500 boys. It has a fine swimming pool and has charge of a summer camp. Unfortunately only boys over 12 are permitted to join the clubs and this ruling leaves the small urchin with no means of recreation. Boy Scout troops are being formed. The majority of the mill workers, however, are not reached by the recreation provided and are left to their own devices. The Y. W. C. A. also has a

swimming pool. The club work of this organization is entirely for the older girls who are employed in the mills. On the whole, it was evident that the community feels its responsibility for furnishing recreation for the children. Although better equipped than other cities, Winston-Salem still has this problem to solve.

When the federal child labor law was passed mothers and fathers continued working in the mills. The little children were left at home. No attempt was made to send them to school; there were no parks or playgrounds where they might spend a day under proper supervision and consequently the little ones got into trouble.

WILMINGTON

This is a seaport town and railroad terminal of about 30,000 inhabitants. It has an excellent Boys' Club division of the Y. M. C. A. and a capable secretary who has come into intimate touch with the 2,000 boys of the city. Through the activity of the Y. M. C. A. and several city clubs a Newsboys' Club has been organized which counts in its membership 70 active newsies ranging in age from 8 to 14. The boys meet about three times a year and once a year a dinner is given to them by the newspaper managers and city clubs. The boys' secretary keeps in touch with these boys as much as he can. Nevertheless for the last year delinquency among newsboys has been about 14 per cent, according to the Y. M. C. A. secretary. School is dismissed at 2:30 and the afternoon papers are issued at 3:30 or 4. During the interval the boys congregate, and many gamble, shoot dice or fight. Theft of money or papers or fruit from stands is common among them. The Western Union employs about 15 boys and the Postal Telegraph about 9. The Atlantic Coast Line railroad offices employ boys of 13, 14 and 15 at good wages. The boys of the upper grades in school have been leaving in order to accept these positions, which pay from $22.50 to $40 a month. There are about 100 boys in Wilmington who work irregularly, do not attend school and are typical street urchins; sometimes they sell papers, sometimes they work on the docks, distribute hand bills, or haul wood. These boys, who come from an unfavorable environment, form about 85 per cent of the delinquency cases of the city—the most common offenses being the stealing of peanuts, candy, fruit and bicycles.

Children engaged in blind-alley jobs—unregulated occupations which lead nowhere but which keep them on the street at any time of the day or night—derive no benefit from their employment. Juvenile delinquency decreases as the degree of child labor regulation increases.

Mercantile Establishments

Several young girls are employed in the 5-and-10-cent stores, but the dry goods and department stores do not employ children except in delivery service. The manager of one of the large stores said, "We can't use young boys and girls, they are not capable." The drug stores employ boy clerks and soda "dispensers," who are subjected to the late hours and excessive standing common to this kind of work.

Amusements

Robert, a little lad of 11 who is suffering from St. Vitus' dance and who is mentally and physically deficient, attends school in the forenoon and after 2:30 goes to work in a moving picture house, where he sells candy, peanuts and soft drinks until 10:30 every night. He works on a commission basis and if he cleans up the theatre after the show or early the next morning, he can earn $5 a week. He is in the second grade in school.

The other moving picture houses employ boy ushers. One had a 14-year-old boy as operator who learned to run the machine by helping a former operator.

Messenger Service

Messenger service does not hold boys. Of the 15 in the employ of the Western Union, few have been in the service more than a year and over half have been there but three months or less. The spirit of adventure and the promise of easy money leads young boys into this work. Its irregularity and constant association with street influences leave their mark upon the boys. Thirteen-year-old Elbert, a small, wizened little fellow, has been working for the Western Union for six months. He is on the job one week at 7 a. m. and quits at 7 p. m. The next week he goes on at 10 a. m. and quits at 10 p. m. Since he is paid according to the number of messages delivered he

never takes more than ten or fifteen minutes for his meals. He sleeps in the back of an old paint store most of the time because his family lives out of town. He has been arrested once for "scrappin' with another messenger boy over a cig-butt." A pal of Elbert's, 12-year-old Albert, works as messenger boy from eight in the morning until 2:30 in the afternoon, when he goes to a vaudeville house and sells peanuts and candy until 10:30 or 11 o'clock at night. In this place he receives 10 cents for selling a dollar's worth of candy. He earns on the average $4.00 a week, working practically 12 hours a day.

The boys who deliver for stores are paid by the trip, at about the same rate as messengers. Between trips, they hang about the stores virtually idle.

Street Trades

As Wilmington is a town with a considerable transient population, little "newsies" handling morning and evening newspapers are numerous. Many of the 6-year-olds are merely the tools of their brothers or other older boys who coax them to sell papers for them and pay them about ten cents a day. A little 6-year-old "newsie" said, "I go into pool rooms and restaurants 'cause the people and the sojers pay me more."

Little colored boys work as bootblacks at the railroad station, gathering in front of the station entrance with their boot boxes and crying, "Throw us some money, boss, and watch us scramble for it." A serious fight often arises from the melee that follows.

The city has a capable school staff which is handicapped in its work by the lack of an attendance officer. Civic and church organizations are working to make the schools attractive and to keep the children in school. Public opinion, therefore, is responsible for the better standards of education which exist here. There is more organized recreation for children than in other towns. The Y. M. C. A. is an active force. A municipal playground is open to the public but has no director. Several churches have playgrounds in the mill vicinity which play an important part in the social life of the community. Church clubs and young people's leagues arrange for various entertainments but they do not reach all the young people. Although the Y. M. C. A. handles boys' work in the town itself, it does not reach the mill district.

GREENSBORO

Mercantile Establishments

Small boys were found working in drug, dry goods and grocery stores. Most of these youngsters "carried trips," that is, delivered packages. In one printing establishment a 14-year-old lad was learning to feed a press. He was getting "his eddication first rate in the printing business."

Boys of 14 or 15 work as ushers in the moving picture houses outside of school hours.

As in all other towns of North Carolina, the messenger service here engages little fellows 10 to 14 years of age. These youngsters are sent to all parts of the town at any hour of the day and as late as 11 or 12 o'clock at night. They invariably learn how to smoke and "shoot bones." As soon as they begin earning money they leave school. Visits to the mothers of two small Western Union boys brought out almost identical comments: "I can't manage Charles since he began earning money and 'pal-ing' with the other boys." "I let John have his own way—I know he's only twelve but he works."

Greensboro, although a prosperous business town, has made no public attempt to furnish recreation for its children. The Y. M. C. A. has a fairly active boys' club. The Y. W. C. A. has no club for girls. There are no playgrounds or municipal fields which the town children can use. The schools have scholastic and athletic contests but all other forms of recreation are commercial. Since the inquiry it has been learned that play apparatus is being placed on some of the public school grounds.

A large number of children are employed in the mills near the town and in many other industries. The "newsboy" group is by far the largest found in any town of 15,000 or over with the exception of Charlotte. The "newsie" plants hinself in front of hotel entrances, stands near the railroad station or darts in and out of the cafés, restaurants and moving picture houses. In one evening, twelve youngsters between the ages of 7 and 12 years were found at the railroad station. The superintendent of schools and the teachers deplore the fact that there is no means of keeping them in school, though in some grades the personal influence of the teacher has been effective in keeping up attendance. Parent-teacher organizations formed for the purpose of bringing teachers and parents into closer co-operation have helped somewhat to improve conditions.

ASHEVILLE

Asheville is a health resort with a cosmopolitan population. As far as its attitude toward the welfare of the children is concerned, it is the most progressive city in North Carolina. It alone has a special juvenile court in charge of a sympathetic and capable judge who understands children.

The city has a nine months' compulsory school ordinance applying to children between the ages of 8 and 14 years, which is enforced by two attendance officers, one for white and one for colored children. Children between 14 and 16 who are not working and have not completed the fourth grade of school also are compelled to attend school regularly. No child under 14 is permitted to work unless he receives a permit from the school superintendent showing that he has attended school the required number of days; this must be filed with the employer. As a result, school attendance is excellent. Unfortunately the child labor law does not restrict work after school.

According to the census report of North Carolina for 1915, made three years after the compulsory school law was passed, only 1.9 per cent of the total number of children in Asheville under 16 years of age were employed. Durham, on the other hand, reported an average number of 609 or 12.7 per cent, and Winston-Salem, 864 or 9 per cent.

Mercantile Establishments

No children were found employed in mercantile establishments during school hours. After school, however, small boys work in drug stores and in ice cream parlors. This usually means late hours which, for boys of 11, 12 and 13, will likely interfere with their proper development.

Small boys work as delivery boys after school from 2 to 6 p. m. or later. On Saturday they deliver packages from 8 in the morning until 9 at night. The messengers are for the most part boys of 15 or 16.

Newsboys

The newspaper service in Asheville provides the largest number of juvenile delinquents. In the past year more cases of truancy and other delinquency have arisen among newsboys than among any

other group of child workers. Little 12-year-old Edward is out at the county reformatory as a result of larceny and a continuous record of truancy. He sold papers after school, having begun at the age of ten. With the money earned he treated other boys to the movies and spent a great deal on candies and sodas. In order to be the first at the newspaper office he got into the habit of spending the night there, sleeping on piles of papers. He "snapped school" continually and at times did not return home for several nights. One night after he had sold all his papers he stole a bicycle from the square. For this offense he was sent away.

It is not uncommon to see newsboys of 7 or 8 helping some older comrade. To these youngsters, selling papers is an exciting game. The newsboy often becomes delinquent because of street influences. Another less common street worker is the juvenile chauffeur or driver. The folly of permitting children to drive automobiles is often revealed by the accidents that result and the practice should be promptly prohibited.

Asheville is also a step in advance of other cities in supplying definite means of recreation for the children. Aston Park, a large, well-equipped municipal playground, is provided for both white and colored children. Two public swimming pools are kept up by the city for the use of colored and white children during the summer months. A garden supervisor has charge of the boys' and girls' garden clubs. Boy Scouts' clubs are doing active work and various churches have junior organizations which offer entertainment.

All motion pictures to be shown in the city must each week receive the approval of the Commissioner of Public Safety. In this way none of the inferior types of pictures can be exhibited. In progressive movements Asheville sets an example to the other cities of North Carolina.

SMALLER CITIES

In the smaller towns of New Bern, Salisbury, Concord and High Point there is proportionately little employment of children outside the mills and factories. In New Bern, colored boys of 10 and 11 are used as delivery boys and as sweepers in stores. The fish markets along the river also employ boys. Several about 13 or 14 working about the docks had not been to school for a year or two. One boy could neither read nor write.

The bootblacks of 10 and 12 years of age in New Bern are colored. They work around the stations and when they are not shining shoes they sell papers.

There is a great deal of after-school employment which invariably affects school work. The principal said that there was no substitute. He has just been able to get a school playground, but beside moving pictures of an inferior sort and a Boy Scout movement there is no other recreation for the growing boy or girl.

In Salisbury, a town of approximately 7,000, the enforcement of the compulsory school law is entrusted to the chief-of-police, who pays but little attention to it and hence there are a great many children employed between the ages of 11 and 16. Cafés and restaurants of the "jitney lunch" variety use boys of 11 and 12 as waiters and kitchen help. The three motion picture houses employ boy ushers and ticket "catchers;" in one a boy of 16 was operating the machine and had been doing so for several months.

The two local stores of the chain already mentioned employ the usual number of children. The "newsies" frequent only the railroad stations and the hotel lobbies where they have become general nuisances for they practically "hold up" all comers.

Here, as in New Bern, no attempt on the part of the city is made to furnish suitable means of recreation. The public library is very small—merely two rooms in the community building. There are no school or public playgrounds, and except for traveling minstrels or Chautauquas there is no form of amusement. The county farm agent has organized canning and hog-raising clubs for the boys and girls on the farms, but no attempt at club work or organized play for children in the town has been made.

High Point, a factory city of 8,000, contains about 80 cotton mills and furniture factories. According to a survey made by the superintendent of schools, 200 children between the ages of 8 and 15 were working in the factories and mills either whole time or part time.

Few children are employed in other fields. There are a few delivery and check boys in the local stores. There is very little street trading as the newsboys have regular routes. Some boys gather about the station at train time in order to carry baggage. The lack of organized recreation for children is marked here, as in other towns visited.

In Concord, a cotton mill town of 7,000, the majority of working boys and girls are in the mills. Three "pressing clubs" in town use colored boys 8 to 12 to deliver clothes and help in the stores. Two Western Union boys 13 and 14 years of age are paid $20 a month and are permitted to keep all tips. The assurance of definite wages to the boys has made them remain at their work for a longer period than is customary in messenger service.

Fayetteville, a town of 7,000, has engaged an attendance officer to enforce the compulsory education law. Consequently school attendance is good and few children work during school hours. A great many work after school but in only a few instances was this work heavy enough to affect their standing in school. The recreation of the town children is left to organizations. There is an active Boy Scout troop, a school playground inadequately equipped and the usual "movies," but no attempt has been made at vocational or recreational training.

RECOMMENDATIONS

Age

1. No child under the age of 14 years should be permitted to work in any mill, factory, workshop, cannery, mercantile establishment, place of amusement, hotel, restaurant, laundry, office, bootblack stand, messenger service or delivery service.

2. No boy under the age of 12 years and no girl under the age of 18 years should be permitted to sell or offer for sale newspapers, magazines or periodicals or work at any other occupation performed in any street or public place in any city with a population of 5,000 or more.

3. No child under 14 years of age should be employed at any occupation during the hours when the public school is in session unless he has completed the public school course of the district in which he resides.

4. No child under the age of 16 years should be allowed to work in specified dangerous occupations.

Hours of Labor

1. No child between 14 and 16 years of age should be permitted to work in any mill, factory, workshop, cannery, mercantile establishment, place of amusement, hotel, restaurant, laundry or office,

bootblack stand, messenger service or delivery service, for more than 8 hours in any day or more than 6 days in any week, or before 7 a. m. or after 6 p. m.

2. No child between 12 and 16 years should be permitted to sell or offer for sale any newspapers or magazines or work at any trade in a public place in any city of 5,000 or more inhabitants after 8 p. m. or before 6 a. m. nor during the hours when public schools in the city are in session unless over 14 years and provided with a work permit.

Work Permits

A. No child under 16 years of age should be permitted to be employed unless it has procured a work permit issued upon personal application of the child and his parent or guardian by the school superintendent of the community.

B. No work permits should be granted unless the following evidence is presented:

1. Documentary proof of age similar to that required by the regulations under the federal law.
2. A certificate signed by the principal of the school last attended showing that the child has satisfactorily completed at least the fourth grade in public school or its equivalent.
3. A written statement from the prospective employer showing the nature of the employment.
4. A physician's certificate attesting to the physical fitness of the child for the work he intends to do.

Enforcement

1. The Commissioner of Labor and his assistants should have the power to inspect conditions as to the employment of labor in factories, mills, workshops, canneries, places of amusement, hotels, restaurants, and office buildings.

2. An adequate staff of inspectors and clerks should be provided for.

3. Authority should be granted to school attendance and probation officers to inspect local industries and to report violations of the child labor law to the Commissioner of Labor or his assistants.

4. Penalties should be prescribed for violations of the law and proceedings brought by the Commissioner of Labor or his assistants.

Compulsory Education.

1. The compulsory school attendance law should be extended to cover the entire term that school is in session, which should be not less than 6 months.

2. Every child from 8 to 16 inclusive should be compelled to attend school for the entire term, except for physical or mental disability or unless between 14 and 16 years of age and employed under a work permit.

3. Every city of 5,000 or more inhabitants should have a full-time school attendance officer.

4. A county truancy officer should be appointed to take charge of the enforcement of the compulsory school attendance law in rural communities.

Recreation

A common complaint when the federal child labor law was in force was that children under 14 who did not work had nothing to do after school hours and consequently engaged in street trading and became public nuisances. There has been little attempt to develop the play spirit of growing children.

Every city of 5,000 or more should have fully equipped playgrounds for both colored and white children. A playground supervisor should be placed in charge.

A state recreation association should be organized for the purpose of planning recreational activities for city and rural communities. Intra-state athletic contests should be planned and public schools should be urged to develop teams for these contests. Pageants, plays, garden and canning clubs, and athletics should be definitely organized.

LAW AND ADMINISTRATION

W. H. SWIFT

This study was made for the purpose of ascertaining what provision is made in North Carolina both by law and by administrative agencies established by law to insure as far as possible the care, education, and proper development of the children of the state. It has seemed to be wise to present the report of the study in two parts —Part One being a brief review of the law as it relates to children; Part Two dealing entirely with administration.

PART I—LAW AS IT RELATES TO CHILDREN

I—Marriage.

In North Carolina marriage is a civil contract into which children as young as 14 years of age may lawfully enter; for a girl may marry at the age of 14; a boy at the age of 16.

In order to determine who may marry let us enumerate those who may not marry: a white person may not marry a negro or Indian; a negro may not marry an Indian; persons nearer akin than first cousins may not marry; whoever has a living husband or wife is forbidden to marry; persons physically impotent or mentally incapacitated are held to be unable to enter into a marriage contract.

But the law intervenes for the benefit of children and declares that no marriage except between a white person and a negro or Indian or one which is bigamous shall be declared void after death of one of the parties if there has been cohabitation and a child has been born. The marriage of a boy under 16 or a girl under 14 years of age has been held to be *voidable*, not *void*, and may be ratified by cohabitation after arriving at the lawful age.

On the other hand, it has been held that the marriage of a person declared to be a lunatic is void and can not be ratified by cohabitation, and that the guardian of the lunatic may bring an action to have the marriage declared void. But the law very mercifully declares that when a competent person marries and lives with another

the marriage will not be declared void at the instance of the competent one.

In estimating kinship in order to determine the right to marry half-bloods are counted as whole bloods.

There are two absolute requirements for legal marriage:

1. A male and a female who may lawfully marry must express their consent freely, seriously, and plainly in the presence of each other and in the presence of a minister authorized by his church or a justice of the peace.
2. The minister or justice of the peace must thereupon declare them to be husband and wife. There is no marriage simply by consent. The consent must be acknowledged in the manner prescribed by law.

The fact of marriage may be established by reputation, cohabitation and the declarations and conduct of the parties, except in actions for criminal conversation.

Marriage License.

A marriage is not invalid if properly solemnized under an illegal license or even without a license. But it is unlawful for any minister or justice of the peace to perform a marriage ceremony unless there is first delivered to him a license from the register of deeds of the county.

Application to the register of deeds for a marriage license may be made by any person. The parties are not required to appear. If, however, either of the parties is under 18 years of age, the written consent of the father, if the child resides with the father, must be filed. If the child does not reside with the father, then the consent of the mother, brother, guardian or person standing in the place of parent, must be filed with the register of deeds.

Before issuing the license it is the duty of the register of deeds to be cautious, to scrutinize the application and to make reasonable inquiry. He may administer the oath. It is unlawful for him knowingly or without reasonable inquiry to issue a license for the marriage of persons to which there is a lawful impediment or for a person under 18 years of age without the required written consent.

A record of all marriage licenses is kept in the office of the register of deeds, together with the certificate of marriage properly

witnessed which is required to be returned by the minister or justice of the peace within two months after the date of solemnization of the marriage.

Criminal Law.

It is an infamous crime for a white person to marry a negro or Indian.

Bigamy is made a felony. To aid, counsel or abet in any such unlawful marriage is likewise a felony.

It is a misdemeanor:

1. To marry a girl under 14 years of age.
2. For any register of deeds to knowingly issue a license for the marriage of, or any minister or justice of the peace to marry a white person and a negro or Indian.
3. To obtain a license for the marriage of a person under 18 years of age by misrepresentation or false pretense.
4. For any minister or justice of the peace to fail to make the return of a marriage performed by him as required by law.

Discussion.

As one examines this part of the law, holding always in view the welfare of children, two questions constantly press themselves into his mind and demand answers:

1. Should children as young as 14 be permitted to enter into a life contract of marriage? It seems that the answer must be, no. Girls at 14 are not yet out of high school and are certainly not well established as women. Boys at the age of 16 are fearfully young for making a contract as serious as marriage. As a general proposition, children under 18 years of age should not be permitted to marry. There may be exceptional cases in which a child under 18 should marry, in no case should a child under 16 be so permitted. The law should be amended so as to prohibit the marriage of children under 16. There should also be a provision that no child under 18 years of age shall be permitted to marry except upon the written consent of his or her parent and the further finding by the judge of the juvenile court after inquiry that such marriage is for the best interests of such child.

Written consent of the parents should be required for every child under 21 years of age.

2. Is proper restriction thrown around the granting of license to marry by the register of deeds? The answer to this must also be, no. Persons who are seeking license to marry should be required to appear in person and answer under oath those questions whose affirmative answers will show that they may lawfully marry. It should be made unlawful for any person affected with syphilis or gonorrhea to marry, and questions covering these should be asked and answered under oath before the license is issued. All questions and answers should be made a part of the license and of the permanent record. There are too many defective children already, and too many brides go to the operating table by way of the marriage bed. As the law now is, a man may knowingly change the purest flower of young womanhood into a festering sore of loathsome disease with impunity. Ten days' public notice in the county should be required before any marriage license is granted.

II—Husband and Wife.

The lawful solemnization of a marriage creates the relation of husband and wife, and immediately certain rights and duties in respect to each other and to the property of each other spring into existence. Persons about to be married or after marriage for that matter may, however, enter into a contract with each other by which they may release whatever rights they may acquire in the property of each other by reason of marriage.

Rights and duties of the Husband.

Marriage terminates any rights which a parent may have to the company, services and earnings of his child. A husband becomes entitled to the company, services and earnings of his wife and may recover damages for their loss. On the other hand, a married woman may sue alone for personal services rendered under contract or for damages for personal injury or other tort sustained by her, and any sum recovered by her is her sole and separate property.

A husband living with his wife is liable for her torts and all costs in criminal prosecutions against her. He is not liable for any debts or contracts made or wrongs done by his wife before marriage. The liability of a married woman for any debts or contracts made or wrongs done by her before marriage is not altered or impaired in the least by marriage.

It is the duty of a husband to provide an adequate support for his wife and children. The law is, that necessaries for the wife create a lawful charge against the husband unless the wife leaves the bed and board of the husband without good cause. It is a misdemeanor for a man wilfully to abandon his wife and children without adequate support, or to fail to support them while living with them. The law does not require a man to live with his wife and children, but it does require him to support them. But if the wife consents to separation, the husband can not be convicted of abandonment; or, if the wife has been guilty of adultery and the husband leaves her, without adequate support, he is not guilty of abandonment.

A husband has no right to assault, slander or beat his wife in North Carolina. He does have the right, however, to use compulsion to regain his wife from another with whom she has committed or is about to commit adultery.

All real and personal property which a woman owns at the time of her marriage, or to which she becomes entitled after marriage, is her sole and separate estate, and is not liable for any debt or obligation of her husband. She may devise and bequeath or convey it, except that the written consent of her husband is required for the conveyance of her real property. The earnings of a wife may become her separate estate by gift of her husband. The savings from the separate estate of a married woman are her separate property, but where the husband has received these savings without objection, he can not be charged for the same for more than one year previous.

A married woman may deal with her separate estate as if she were not married, unless she is dealing with her husband or there is a conveyance of her real estate. The written consent of the husband is required for the conveyance of a married woman's real estate and her privy examination must be taken. The law requires that every lease, assignment or conveyance made by a married woman of her lands, to run longer than three years or to begin more than

six months after the execution of the contract, must be signed and acknowledged by both the husband and the wife. The privy examination of the wife is required. Any contract between a husband and a wife by which her real estate is affected or charged for a term longer than three years, or her personal estate is impaired or changed, must be in writing duly executed and acknowledged by the wife, with her privy examination and with the certificate of the executing officer that the contract is not unreasonable or injurious to her.

A married woman may insure or cause to be insured for her sole benefit the life of her husband and she has the right to dispose of her interest in such insurance by will. A husband may insure his life for the benefit of his wife or children, and the proceeds of such a policy of insurance go to the wife and children and not to the estate of the husband.

If a husband abandons his wife or fails to provide adequate support for her or her children, or is a drunkard or a spendthrift, the court will order him to secure a part of his estate for the benefit of his wife or wife and children. The amount to be set aside is in the discretion of the court, but the judge can not order monthly payments to be made by the husband. Action for divorce is not necessary in this case.

The clerk of the court, upon the application of a guardian or next friend of a wife who is a lunatic and who is abandoned by her husband, will order a support for her out of the estate of her husband.

Interference with Marital Relation

A husband may recover damages for interference with his marital rights; but this rule does not apply to relatives who harbor the wife in good faith, or to parents who act in good faith and without malice. Ill treatment on the part of the husband will justify the harboring and keeping of a man's wife, even when forbidden to do so, but the treatment must be such as to endanger her personal safety and to force her to leave her husband and to stay away from him. Punitive damages may be awarded to the husband for enticing, harboring and debauching his wife, and the consent of the wife is no defense in an action of alienation of affection and criminal conversation.

The marital relation and rights arising out of marriage may be interrupted in three ways: by a deed of separation, by divorce and by the death of one of the parties.

a—Deed of Separation:

A deed of separation between a husband and a wife looking to a separation at some future time is not valid, but when the separation has taken place or is about to take place, such a deed is not against public policy provided the separation be reasonably necessary for the health or happiness of the parties. It must be properly signed and executed with the privy examination of the wife and the further certificate of the executing officer that the contract is not unreasonable or injurious to the wife. Upon the execution of a deed of separation, all rights which either the husband or wife had in the property of the other by reason of marriage terminate. A later resumption of conjugal relations will, however, cancel the deed of separation.

b—Divorce.

Divorces either absolute or from bed and board are granted only from the application of the party injured.

The grounds for absolute divorce are: adultery on the part of either the husband or wife; natural impotency on the part of either party at marriage; if the wife was pregnant at the time of marriage and the husband did not know the fact and was not the father of the child, he may be granted an absolute divorce; where there has been a separation and the parties have lived apart for ten years and the plaintiff has resided in the state continuously for that period.

Divorces from bed and board will be granted in the following cases: when either party abandons his or her family; when either party maliciously turns the other out of doors, or by cruel and barbarous treatment endangers the life of the other, or where either party offers such indignities to the person of the other as to render his or her condition intolerable or life burdensome; when either party becomes an habitual drunkard.

The superior court, upon granting a divorce from bed and board, may decree to the party applying for the same such alimony as the circumstances of the parties warrant, but this may not exceed one-third of the income from the estate, occupation, or labor of the party against whom the judgment is rendered. The amount of alimony lies, within this limit, wholly in the discretion of the court and may be reduced or enlarged or vacated by the court at any time. The death of either party, or the reconciliation of the parties, terminates

all rights existing under the decree of the court for alimony. Where there is a decree of absolute divorce, no alimony will be granted, but the court may order alimony for the benefit of the wife during the prosecution of her action against her husband for absolute divorce, and to aid her in the prosecution of the same.

The effect of an absolute divorce is to destroy any and all rights which either the husband or wife has or may have in the property of the other arising out of marriage, but any children born or begotten during coverture, even if not born, are not rendered illegitimate by the decree of divorce.

Where either a husband or wife obtains a divorce from bed and board of the other, the rights of the party making application for the decree in the property of the other and arising out of marriage are not affected. On the other hand, the party against whom a decree of divorce from bed and board is granted loses all rights which he had or may have in the property of the other arising out of marriage.

Either party may marry after an absolute divorce, but neither party is permitted to marry where only a divorce from bed and board has been granted.

Custody of Children in Case of Divorce.

The judge of the superior court before whom an action for divorce is pending or by whom a decree of divorce has been signed may make such order for the care, custody, tuition and maintenance of the minor children of the parties as to him seems best. The children may be committed to either party. Such order of commitment may be modified, changed or vacated at any time thereafter. The policy of the law is to award the young children to the mother, other things being equal. Ordinarily the court will not award the custody of the child to a non-resident.

The law in North Carolina is that a father is liable for the support of his minor children, both before and after divorce. The awarding of the custody of the children to the mother in case of divorce does not therefore release him from this liability.

c—Death of One of the Parties.

1. *Rights of husband in property of his wife after her death.*

If a man's wife have issue born alive, and she dies intestate, he is entitled to a life estate in all the real property owned by her during

coverture. He is entitled to administer on the estate of his wife who has died intestate and after paying all her debts may hold the residue of her personal estate to his own use if there are no children. If there are children, he shares the personal estate of his deceased wife equally with them. But all the rights above set out in both the real and personal property of the deceased wife are lost: when there has been an absolute divorce between the parties, when the wife has obtained the divorce from bed and board and is not living with her husband at the time of her death, when the husband has been convicted of feloniously slaying his wife or of being an accessory before the fact, when the husband has separated himself from his wife and is living in adultery, or when the husband has abandoned his wife or maliciously turned her out of doors.

2. *Rights of wife in the property of her husband after his death.*

A widow has the right to dissent from the will of her husband and thereupon has the same rights in his estate, both real and personal, as if he had died intestate. She is entitled to a dower, which is one-third in value of all the real property owned by her husband during their married life, for the term of her natural life. The dwelling house is to be included in this. She is entitled to administer on the estate of her deceased husband, provided she is 21 years of age, and after all the debts of her husband are paid a widow has the right to participate in the distribution of his personal estate. In addition, the widow of an intestate, or in case she dissents from the will of her husband, is entitled to a year's support out of the personal estate of her deceased husband and not less than $300 for herself and $100 additional for every child under 15 years of age who resides with her or to whom she stands in *loco parentis*. Neither the dower of a widow nor lands devised to her by the will of her husband not exceeding the value of her dower are subject to the payment of her husband's debts during her lifetime. Her year's allowance is likewise exempt from any lien against the estate of her husband.

All the above named rights of a widow in the estate, personal or real, of her deceased husband are lost: when there is an absolute divorce, when the husband has obtained a divorce from bed and board, when the wife has been convicted of feloniously slaying her husband or being an accessory before the fact, when the wife has eloped with an adulterer or has without just cause abandoned and

refused to live with her husband and is not living with him at the time of his death.

The law is that in every case of elopement, abandonment or divorce of either the husband or the wife, the other may sell and convey his or her real estate as if unmarried.

Husband or wife as witness.

The rule in North Carolina is that in civil actions, either the husband or wife is a competent witness for or against the other; but neither may be compelled to disclose confidential communications. In criminal proceedings either a husband or wife is a competent witness in the behalf of the other, a defendant. Neither is competent against the other, a defendant, except that where the husband is prosecuted for assault and battery against his wife, abandonment or failure to support his wife, she may testify, and in cases of bigamy, actions in consequence of adultery, or divorce on account of adultery either party may testify as to the fact of marriage.

Crimes in Relation to Marital Relations.

It is a misdemeanor for a husband to abandon his wife and children without providing adequate support for them, or for him to fail to provide adequate support for his wife and children while living with them.

It is a felony for any male person to abduct or elope with the wife of another. The law requires, however, that the woman must have been innocent and virtuous since marriage. There can be no conviction on the unsupported testimony of the woman. It is likewise a felony to have carnal knowledge of a married woman by impersonating her husband, or to assault her with the intent of carnally knowing her by impersonating her husband.

Discussion.

1. The earnings of a wife should be her separate estate. No husband should have the right to what his wife has earned by her own labors. The law should be amended so as to give the earnings of a wife to her.

2. Under the present divorce law it is possible that a great injustice may be done to a woman who had aided her husband to

accumulate property all of which is in his name. If she secures an absolute divorce all her rights in his property are forfeited, however bad his conduct may be. The law should be amended so as to leave the disposition of property or the granting of alimony to the discretion of the judge in cases of absolute divorce, as now in cases of divorce from bed and board.

3. Where there is a separation the parties should not be required to live apart ten years before an absolute divorce will be granted. The time should be reduced to five years.

4. The granting of bed and board divorces might well be abolished. If a divorce is to be granted it should be absolute. The state should encourage the bearing of children rather than retard it. The present law, in reference to bed and board divorces, certainly tends to hold the birth rate down.

5. To abandon a pregnant wife or a wife with a child under 16 years of age and to leave her without means of support should be made a felony. Juvenile courts should be given jurisdiction in such cases.

III—Prenatal care and care of children at birth.

Before entering upon the discussion of the law of parent and child, it will be well to see what legal provision has been made for the care of children at and before birth and for the care of mothers at the same time.

There is no law in North Carolina regulating the employment of mothers before or after the birth of a child; neither is any provision made by law for the care, aid, treatment or instruction of the mothers of young children or of women who are about to become mothers.

Physicians and midwives are required to give treatment to the eyes of children at birth to prevent blindness. The State Board of Health is required to provide for the free distribution of this treatment to physicians and midwives. Any nurse or midwife who observes any redness or inflammation in the eyes of a child within two weeks after birth is required to give notice of this fact to a health officer or a physician. Health officers are required to notify nurses or midwives of this law, and all midwives are required to register with the State Board of Health.

Criminal Law.

It is a felony to administer any drug or use any instrument with the intent to destroy the child of a pregnant woman unless it is necessary to save her life, or to administer any drug or use any instrument or prescribe, procure, or advise the use of any medicine to produce a miscarriage or to injure or destroy a pregnant woman.

Discussion.

1. There should be some law regulating the employment of women about to become mothers and of the mothers of young children. The employment of the mother at such time frequently endangers not only the future and life of the child, but also the health and life of the mother as well. It is an economic waste and a social wrong. The employment of a woman within sixty days of the birth of her child should be made unlawful.

2. There should be provisions for aiding and instructing mothers and women about to become mothers. Where county health units as provided for by law have been established, and where there is a full-time county health officer, the aid and instruction of mothers could easily be carried on as a part of the health campaign under the supervision of the State Board of Health, and should meet no great difficulties. The State Board of Health will have to develop some plan by which this can be done in counties having neither the health units nor a full-time health officer. The establishment of a full-time health officer in every county would of course solve this problem.

3. The war has taught us the value of the life of not only mothers, but very young children,—babies. Improper care and negligence at the time of child-birth is the cause of a great loss, both of health and of life. Midwives should be required to show that they are reasonably fitted for the work. Provision should be made for conducting in every county, under the supervision of the State Board of Health, county schools of instruction for midwives, and for granting certificates to those who show by examination that they are qualified. Persons who do not have certificates should be forbidden by law to practice as midwives. The instruction should be elementary at first and should be extended by the State Board of Health from time to time. A beginning of this has already been made in Wake County, and the information is that the success of it was very gratifying to the public health authorities.

IV—Parent and child.

The relation of parent and child may be established in any one of three ways: by birth, by adoption and by one person simply standing in the place of parent to a minor, (a child under 21 years of age). Adoption will be presented in a later part of this report, and there is no call for any discussion of the relation of parent and child when it arises from the man standing in the place of parent.

A child born by a married woman is presumed to be the child of her husband. This presumption runs if the child is born after the death of the husband or divorce, but in any case the law will permit the presumption to be overcome.

The father is held by the law of North Carolina to be the natural guardian of his minor child, and as such is held to owe to the child certain distinct duties.

Duties of father.

1. It is the duty of a father to support his minor child, whether living with it or not. It has been distinctly held that it is the duty of a parent, or person standing in the relation of parent to a minor child, to feed, clothe and provide medical attention for it. Necessaries furnished to a child are a proper charge against the estate of the father, if he has wrongfully driven his child away from home. The father would not, however, be liable for necessaries if the child voluntarily abandons his home. A stepfather is under no obligations to support his step-child. Neither is the step-child required to work for his step-father. If, however, the two live together without any contract the relation of parent and child is deemed to be established. The step-father is entitled to nothing for board and the step-child nothing for services rendered. If a father is unable properly to support and educate his child and such child have property in his own right, the court will order that a part of the income be applied to the support of the child.

It is unlawful for a father wilfully to abandon his child without adequate support, or wilfully to fail to support it when living with it.

It is not at all clear that the law of North Carolina makes it the duty of a mother to support her minor child. It certainly makes it no crime for her to abandon it and leave it without support, or to fail to support it while living with it.

2. A father is under the duty to protect his child, and the law recognizes the right of a parent to fight for the protection of his child, just as it recognizes the right of the child to fight in protection of his parent. But this is allowed only to prevent injury and not for the purpose of revenge.

3. Every parent, or person standing as parent to any minor child, is under the lawful duty of providing for the education of the child by sending him to school as required by the compulsory education law. He is also under further duty not to employ the child in violation of the law regulating the employment of children. (See Compulsory Education and Child Labor later).

Rights of parent.

A father has the right:

1. To fix the legal residence of his minor child. The residence of the father, if he have one in the state, is the residence of the child; if the father have no residence, the child takes the residence of the mother.

2. To control the child and to exact reasonable obedience. The law of North Carolina recognizes the right of the father to govern his family, and will not interfere when a child has been punished by a parent unless permanent injury was done or the parent acted in malice. This same rule is extended to cover the relation of teacher and pupil.

3. To have custody of his child. A father is entitled to the custody of his child against the world, unless he has lawfully committed such child to the care of another and thereby surrendered his rights, or has been found to be unfitted to have the care of a child or has forfeited his rights by the wilful abandonment of his child. Even where the parent has abandoned his child, the court has the power to restore to him the custody of his child. The exercise of this power lies entirely in the discretion of the court, which is to be guided in all cases by the interests and welfare of the child.

This right of a father to have the custody of his minor child is so strong, that it runs in a way even after his death. A father, even if he be a minor, may by will or deed with the written consent of his wife, the child's mother, if living, and with her privy examination, dispose of the custody of his unmarried minor child until he or

she is 21 years of age. Under the law, the mother of an unmarried minor may, if the father be dead and has not already disposed of the custody of the child, dispose of such custody of the child by either deed or will.

The right of a parent to have the custody of his child is determined by a writ of habeas corpus.

4. To the services and earnings of his minor. The services and earnings of a minor belong in law to his or her father. A child may, however, be emancipated. A father who drives his minor child out of his home is not entitled to the earnings of such child. A father or the mother, if the father be not living, may recover damages for expenses and loss of service, if his or her minor is injured by the fault of another. But neither can recover for the wrongful death of the child. In this case the administrator of the estate of the deceased child must bring suit for the recovery of damages. A father or the mother, if the father be dead, may recover damages for the seduction of a minor daughter.

With reference to third parties.

The law is, that a parent is not liable for the tort or wrongful act of his minor child. The circumstances of the case may, however, be such as to make the child the agent of the parent. In that case the parent would be liable.

A father has the right to insure his life for the benefit of his children just as for his wife, as heretofore stated. The proceeds of such insurance for the benefit of a child or children go direct to such child or children, and are not a part of the estate of the deceased father.

Rights of mother.

When the father of a minor child is dead and had not disposed of the custody of such child by lawful deed or will, the mother becomes the natural guardian of the child and to the same extent as the father would be if living, and has all the powers, rights and privileges and is subject to all the duties and obligations of a natural guardian. A mother, if she is a suitable person, is entitled to the custody of her child even though there may be others more suitable. This would seem to be sufficient to place the mother under the legal duty of sup-

porting her minor child; but in view of the fact that it is not unlawful for her to fail to do so, it is doubtful as to whether this duty really rests upon her in law.

Control of property of child.

While a father and next after him, the mother, is the natural guardian of a minor child, neither of them can exercise any lawful control over the property of the child except after being duly appointed as guardian.

Interruption of the relation of parent and child.

The relation which exists in law between a parent and his minor child may be interrupted by the child arriving at majority, by marriage, by emancipation, by abandonment, by separation of the parents, by divorce of the parents, by apprenticeship, by adoption and of course by the death of one or both of the parents.

1. When a child reaches the age of 21 all those relations which existed between the parent and child because of the minority of the child immediately terminate.

2. The marriage of a minor child, if he or she is of lawful age for marriage, terminates the right of the parent to custody and services and earnings.

3. The parent may emancipate his child and thereby interrupt the relation.

4. The parent may abandon his child and thereby interrupt the relation. The wilful abandonment of the child ends the parent's right to have the custody of the child; but the parent, certainly a father, is still under the legal duty to support his child. Children whose parents have abandoned them for six months and who are without sufficient support may be apprenticed by the clerk of the court. (See Apprenticeship later).

5. Parents may enter into a deed of separation in which provision is made for their minor children. Where there is a separation but neither a deed of separation nor a divorce, and contest arises as to the custody of minor children, a writ of habeas corpus will lie to determine the custody. In this case the court may award minor children to either the father or mother and with such provisions and regulations as will promote the best interests of such minors.

6. If the parents are divorced an interruption of the parental

relation must necessarily arise. In cases of divorce, the court will commit the care of minor children to either the father or the mother, just as seems best to the court. If any child thus committed has property in its own right, a guardian to care for and manage the estate must be appointed by the clerk of the court. Such guardian does not, however, take custody of the person of the child unless he happens to be the father or mother to whom the child has been committed.

7. The relation of parent and child may be interrupted by apprenticeship and this may arise in either one of two ways:

(a) The child may be apprenticed by his father or person standing in his place. The father, or in case of his death, incompetency, abandonment of his child for six months without providing support or becoming an habitual drunkard, the mother or legal guardian may apprentice a male child to the age of 21 or a female to the age of 18 to learn a trade. Mothers of illegitimate children have the same right. But the power of a mother to apprentice her child is terminated by her marriage. Indigent children may even apprentice themselves with the approval of the clerk of the court. No white child may be apprenticed to a negro, and the general policy of the law is that negro children may not be apprenticed to a white person.

Orphan asylums and charitable institutions have the same right as a father to apprentice children committed to their care and who are 14 years of age. In all these cases of apprenticing, the written consent of the child, if more than 14 years of age, must be had and made a part of the articles of indenture.

When any child is apprenticed by his father or other person to learn a trade, the law requires that the indenture make certain stipulations:

1. That the child will serve his master from 3 to 5 years and will not leave his employer during the term.

2. That the employer will pay the compensation agreed upon and will teach the child the trade and will at the end of the term give a certificate of apprenticeship.

3. Provision must be made for arbitration in case circumstances arise which prevent the carrying out of the contract of apprenticeship.

If the child so apprenticed deserts his employer, he may be ar-

rested and placed in a home of correction or jail not exceeding 30 days, and if he refuse to serve his employer the articles of indenture may be cancelled. An apprentice may recover of his employer damages, not exceeding three hundred dollars, for the failure of the employer to teach the trade or to carry out the agreements of the articles of indenture.

(b) The second manner of apprenticeship is by the action of the clerk of the court and is in fact a function usually performed by juvenile courts. It is dealing with dependent and delinquent children. The law makes the following children subject to be apprenticed by the clerk of the court.

1. Orphans whose estate is too small to educate and maintain them.

2. Infants whose fathers have left them six months without support.

3. Any child who is fatherless and whose mother is of bad character and suffers her child to grow up in habits of idleness.

4. Children whose parents do not employ them in some honest, industrious occupation.

5. Children under 16 years of age who on account of neglect, crime, drunkenness, lewdness or vice of their parents or persons with whom they reside are exposed to lead idle and dissolute lives.

The apprenticing of any such child is begun by a statement in writing to the clerk of the court by three reputable citizens that the child is subject to be apprenticed. Thereupon notice is served upon the person having the child in charge and inquiry is made. After inquiry the clerk of the court may, if he deems it to be wise, apprentice the child or procure his admission into some orphanage. It is unlawful for any person to separate a child under six months of age from its mother without consent of the clerk of the court and the county health officer, and for a mother to surrender her child under six months of age to another without the same consent. Indigent children who are placed by the clerk of the court in orphanages, children's homes or child-placing institutions, are placed by law under the control of the institution just as a child is under the control of a parent.

Indigent male children may be apprenticed by the clerk of the court until they are 21 years of age, female until 18; but the clerk of the court may in his discretion reduce the term.

The clerk of the court may modify the articles if the employer is cruel, fails properly to feed and clothe the apprentice, or violates any part of the indenture or the law relating to apprenticeship. He may even discharge the apprentice and re-apprentice him. If the contract provided for wages, the clerk may order them or any part to be paid to the child, his parents, or into the office of the clerk of the court for the child. The general laws governing apprenticeship are:

1. The apprentice may be compelled to serve his term of apprenticeship and for failure may be sent to jail. Persons who entice an apprentice away from his employer or harbor a deserting apprentice are liable to the employer in the sum of $3 a day for every day the child is out of employment.

2. The articles of indenture may stipulate further education and wages for the apprentice; but the law writes into the contract of apprenticeship that the apprentice must be properly fed, clothed, provided with lodging, taught to read and to write, and arithmetic to the double rule of three, and also that at the end of the term the apprentice must be given a new suit of clothes, $6 in cash and a new Bible.

An annual report must be made by every employer of every apprenticed child to the clerk of the court. No apprentice may be carried out of the state, and if an employer is about to leave the state, he must account to the clerk of the court and the term of apprenticeship may thereupon be terminated.

The law is that an apprentice may recover damages for a breach of the articles of indenture, but the action must be brought within two years.

8. The relation of parent and child is always interrupted by adoption. A new parentage is established.

Children may be adopted in North Carolina during minority or for life. In either case, the child is adopted by an order from the court granting letters of adoption. Such orders will be issued only after the court has found that the person seeking to adopt a minor is a fit and suitable person.

Whoever seeks to adopt a minor must file with the court a petition which must set forth the name, age and residence of the child, with the name of his parents and whether both or one be living, with the name of the guardian, if the parents be dead, and if

there be neither parent nor guardian, the name of the persons with whom the child resides. The amount and nature of the minor's estate if there be any, must be shown. The petition must show whether adoption for life or for the minority of the child is desired.

The consent of the parents of the minor is required if they be living. If the parents are not living, the consent of the guardian is required. If there be neither parent nor guardian, the consent of the person with whom the child resides or who has the child in charge is required. Orphanages and child-caring institutions may consent to adoption.

The granting of the letters of adoption establishes the relation of parent and child. Where the adoption is for minority, this relation ceases at the majority of the child and the child will not become at any time the heir of the adopting parent. If the adoption is for life, the adopted child becomes as if the actual child of the adoptor. The child is the heir and takes both the real and personal estate of his adoptor as if an actual child, if the adoptor dies intestate. The adoptor may, however, in his petition to adopt, provide that the child shall not inherit or be entitled to any of his personal property. The name of the child may be changed by order of the court at adoption. If the child adopted be an orphan with an estate but no guardian the adoptor is required to give bond as in the case of guardians.

9. Finally, the relation of parent and child is interrupted by death of either parent.

The death of the mother, if the father be living, of a minor child disturbs in no way the relation between the father and child. The father still retains the custody of the child. Whatever real estate the mother may have descends to her children subject of course to the right of her husband to be tenant by courtesy. Her personal estate is shared equally by her children and her husband. If there be no husband, the children take all the personal estate.

The death of the father of a minor child transfers the custody and care of the child to the mother. Subject to the dower rights of the widow the children of a deceased father inherit his real estate. His personal property is distributed as follows: if there is no widow, the children take all; if there is a widow and one child, the child takes two-thirds, the widow one-third; if there is a widow and two or more children, she and the children share equally.

A child unborn, but in being, may take property by deed or will or inheritance. Either father or mother may dispose of his or her property by will so as to deprive any child of all rights of inheritance; but no child born after a will is made is deprived by such will of his rights to take either real or personal property.

Crimes gathering about the relation of parent and child.

It is a misdemeanor for a father wilfully to abandon his child without adequate support, or if living with his child, wilfully go fail to support him. When a man is convicted of abandonment the court may make an order for the support of the wife and children out of the property or labor of the man.

It is a felony to abduct a child under 14 years of age from his parent, guardian or person with whom the child has been placed or from a school at which he has been placed, or to induce such child to leave any such person or place. The consent of the child is no defense. Simple persuasion of the child is an inducement. To conspire to abduct a child under 14 years of age from the persons or places named above is likewise a felony. It is also a felony for any parent who has lost the custody of his child by abandonment unlawfully to procure the custody of the same.

It is misdemeanor:

1. For any parent or other persons having a child under 7 years of age in charge to go away and leave such child, locked up or confined in a house, or without leaving such child in the care of some person of discretion and thereby to expose the child to the danger of fire.

2. For any parent, guardian or custodian to fail to send any deaf child between the ages of 8 and 15 to some school for the instruction of the deaf. The parent may, however, elect two years between the ages of 8 and 15 of the child in which to keep the child at home. The parent is nor required to send the child to a school for the deaf until notified to do so by the superintendent of the school for the deaf.

3. For any parent, guardian or institution to fail to send any blind child between the ages of 7 and 17 to a school for the instruction of the blind; but the parent has the right to keep his child at home until the authorities from some school of the blind give him notice to send the child.

4. For a parent, guardian or custodian to fail to send his child to the public school as required by law or to make any false statement in securing employment for the child.

It is a felony for a parent or any other person by secretly burying or otherwise disposing of the body of a new born child to endeavor to conceal the birth of such child. It is a misdemeanor to aid, counsel or abet any woman in concealing the birth of her child.

An able-bodied man who lives in idleness on the labors of his child or children under 18 years of age is declared by law to be a vagrant.

Discussion:—

1. There being some doubt as to the legal duty of a mother to support her child, it should be made a crime for any mother to abandon her child or fail to support such child, and necessaries furnished to her minor child should be made a legal charge against her estate just as it is a charge against the estate of a father.

2. No father or mother should be entitled to the earnings of his or her minor, if able to work and refuses to work and lives upon the labor of such child. The law should be amended so as to cover this point.

3. It should be made a felony for any father to abandon or to fail to support his child under 16 years of age. Juvenile courts should be given jurisdiction in cases of desertion of children.

4. The law permitting a child to be apprenticed by his parent or person standing in the place of parent to learn a trade should be repealed. The day of apprenticeship is past.

5. That part of the law which gives to the clerk of the court the right to take charge of dependent or neglected children is, in the main, good. It is in fact better in many respects than the juvenile court act and should be preserved and incorporated for the most part into a complete and effective juvenile court law. (See discussion under State Board of Charities and Public Welfare). The right of the clerk of the court to apprentice children should be abolished.

6. The law governing adoption is good in that it requires the adoptor to be approved by the clerk of the court. No parent should be allowed to transfer the permanent custody of a minor child except upon the approval of the juvenile court. No child should be placed

in any home except upon the approval of the County Superintendent of Public Welfare of that county. A record of every transfer of the custody of a child and of every child placed in a home should be kept in the office of the clerk of the court in the county.

V. Illegitimate Children.

A child born of a married woman within ten months after the death of her husband, or after divorce if within lawful time, is presumed to be the child of her husband. This presumption, may however, be overcome by showing that intercourse did not take place between the husband and wife at the time required by the laws of nature. A child begotten before marriage but born after is presumed to be the child of the husband. The burden of showing that a child is illegitimate rests upon him who denies the legitimacy. It follows that an illegitimate child is the child of a woman without a husband, or whose husband is shown not to be the father.

The law provides a method by which a putative father may legitimate his illegitimate child. This is done by petition and a finding by the court that he is the father of the child. The clerk of the court will thereupon decree the child to be legitimate. The effect of the decree is to impose upon the father legitimating the child all the obligations arising under the law from a lawful father to his lawful child. The legitimated child inherits from his father and takes his child's part in the distribution of the father's personal estate.

Marriage between an illegitimate mother and the putative father does not render the illegitimate child legitimate; but where under the laws of another state a minor was made legitimate by the marriage of his illegitimate mother with his putative father, he will be held to be legitimate in North Carolina.

The law recognizes and enforces the moral duty of the father to support his illegitimate child. It holds that any contract entered into between a man and a woman for future unlawful cohabitation is void, but it will enforce in a civil action the contract of an illegitimate father with the illegitimate mother to support her and her illegitimate children, and the agreement of the illegitimate mother not to institute bastardy proceedings has been held to be a valuable consideration.

Bastardy Proceedings.

Whether or not a man is the father of an illegitimate child is determined in bastardy proceedings. Justices of the peace in the different counties have exclusive original jurisdiction in the matter. An appeal may however be made to the Superior Court. The action has been held to be civil rather than criminal, and it must be begun within three years after the birth of the child.

The action is not only to determine the paternity of the child but also for the purpose of securing for the mother her probable expenses in case the child is not yet born or to reimburse her for expenditures at the birth of the child, even if it do not live, and also to insure that the county will be protected against the liability of supporting the child as a county charge. It is begun either by the voluntary complaint of the mother of the illegitimate child or of a woman who is about to become the mother of a child that will be illegitimate, or upon the affidavit of one of the county commissioners that the child is likely to become a county charge. The statement of the illegitimate mother is presumptive evidence but may be rebutted. When a complaint is made by one of the county commissioners that an illegitimate child has been born or is about to be born and will be liable to become a charge upon the county, the mother may be brought before a justice of the peace and ordered to declare who is the father of her child. If she refuses so to declare, she is liable to pay a penalty of $5.

Where the court has found a man to be the father of an illegitimate child, it will order that he stand charged with the support of the child and will require him to give bond for such support and to indemnify the county for any charges at which it may be placed for support.

In addition to the required bond for the support of the child, a man declared by the court to be the father of an illegitimate child may be ordered to pay to the mother not exceeding $50, the amount to be determined by the court. A man declared to be the father of an illegitimate child may not claim his personal property exemption to bar the collection of the allowance made to the mother, and if he fails to support the child and to obey the orders of the court, execution will lie against his estate for such sum as the court may deem to be sufficient.

Where a man found to be the father of an illegitimate child

fails to make the bond required by the court to guarantee the support of the child or to comply with the orders of the court, he may be imprisoned not exceeding twelve months or at his election he may be apprenticed for such time and under such terms as the court may direct; but a man imprisoned in bastardy proceedings for failure to make the bond or to comply with the orders of the court may be discharged by remaining in prison for twenty days and taking the insolvent debtor's oath.

The mother of an illegitimate child has the same rights, and powers with reference to such child as a father has toward his legitimate children or as a lawful mother has upon the death of her husband. She takes the custody of her illegitimate child, is entitled to his services and earnings, and determines his residence. She has the right to apprentice her child to learn a trade.

An illegitimate child is held to be next of kin to his mother and any illegitimate child or issue of such child is entitled to share in the distribution of her personal estate. The same rule applies in the descent of the mother's real property. Illegitimate children born of the the same mother are held to be legitimate as between themselves and their personal estate is distributed among their mother and her illegitimate children as if the children were born in wedlock.

Crimes in Relation to Illegitimacy.

It is held in North Carolina that bastardy is not a crime. The criminal offense which corresponds to bastardy in civil law is fornification and adultery.

It is a misdemeanor for any man and woman not married to each other to bed and cohabit with each other. Intercourse between an uncle and niece or an aunt and nephew is a misdemeanor.

It is a felony for a parent and child, grandparent and grandchild, or brother and sister of the half or whole blood to have carnal intercourse with each other.

Discussion:

The illegitimate is yet in a large measure the son of nobody. As a rule his father finds himself under no very strong legal obligations and generally under no conscious moral obligations to support his child. The result frequently is that the illegitimate child goes without care. And yet he is or should be held to be as valuable to

the state as any other child. He must be cared for and his natural father is the one upon whom the responsibility should rest. By placing this full responsibility upon the father two ends will be accomplished: First, illegitimate children will be born less frequently; and second, those who are born will be better cared for.

1. In practice in North Carolina an illegitimate child stands very little, if indeed, any chance of receiving any support or aid from his illegitimate father. Fuller provisions should be made for requiring mothers of illegitimate children to declare the father. The hearings should be taken out of the hands of the justice of the peace and placed under the juvenile court. When a man is declared to be the father of an illegitimate child he should in practice be held to the same duties of support and education as the father of a legitimate child. Some officer in the county should be charged with the duty of seeing that this support is given.

2. It should be made a felony for a man declared to be the father to fail to support his illegitimate child. It should likewise be made a felony for a man the father of an illegitimate to fail to aid the mother and support the child and to leave either of them in want.

3. The law should provide means by which courts may declare who is the father of an illegitimate at any time except that no man who has been dead more than two years should be so declared.

4. An illegitimate child should be made the heir at law of him who is declared to be the father and should have the right to share in both the real and personal property of the father at his death.

5. When it is found by the court that two or more males had opportunity to be the father of an illegitimate child all should be required by law under the orders of the court to care for the mother and to support, care for and educate the child.

6. The juvenile court should have the right to order that the father of an illegitimate child give to the mother such care as she may need and not less than $100.

VI. Guardianship.

The relation of guardian and ward is derived from that of parent and child. A guardian is an artificial parent who performs his functions under the orders of the court. In North Carolina guardians come into existence in two ways—by appointment by the deed or

will of the father and in some cases of the mother, and by appointment direct by the clerk of the court. A father, even if he is a minor, has the right to appoint a guardian for his unmarried minor child by deed or will. This right runs even if the child is not yet born. In case the father dies without naming a guardian for his unmarried minor child, this right with all others goes to the mother, even if she is a minor. Guardians appointed by the deed or will of a father or mother of a minor take the custody and tuition of such minor and become subject to the same liabilities and regulations as guardians appointed directly by the clerk of the court.

Guardians are appointed for minors by the clerk of the court when in his opinion there is need for a guardian and none has been named by the deed or will of the father or mother. In the appointment of a guardian, he may, if he sees fit, commit the custody of the child to one person and the care of the estate to another. He is empowered to appoint a guardian for the estate of a minor even if the father be living, but such guardian takes only the care of the estate of the minor. The general rule in North Carolina is that a guardian must be appointed for every minor orphan, but where the estate of an orphan is so small that no person will educate and maintain the child from the profits of the estate, no guardian need be appointed. The child will be apprenticed. In cases of divorce a guardian is appointed by the clerk of the court for any minor child of the parties entitled to an estate. Such guardian takes only the care of the estate of the child.

The authority to act as the guardian of a minor child comes by the sealed letters of the clerk of the court. When an application is made for a guardianship, it is the duty of the clerk of the court to investigate the case and after investigation to issue the letters to such persons as he thinks best. Letters will not be issued until a good and sufficient bond, double in value of the personal estate and the rents and profits from the real estate of the minor, is filed in the office of the clerk of the court. The bond guarantees that the guardian will faithfully execute his trust and the orders of the court. It must be renewed every three years. A failure to renew a guardian's bond after notice will subject the guardian to be discharged. The clerk of the court is himself held liable for any loss sustained in the estate of a minor by reason of his failure to require and take a good and sufficient bond from the guardian.

Guardianship runs until the minor is 21 years of age, but marriage terminates the guardianship of the person just as it terminates the right of the parent to services and earnings. It is the duty of the clerk of the court to make orders for the education, of the guardian to make payments out of the estate of the minor for the support and education of the minor in accordance with such orders. The general rule is that only the income from the estate of the minor may be used for maintenance and education but the courts have the power to make exception to this rule and to order a part of the body of the estate for this purpose. The father being under legal obligation to support and educate his child, is not permitted to enter charges against his minor child's estate for maintenance and education without orders. Such order will be made only when the father is unable to care for his child.

The guardian who has the custody of a minor child is under obligations to care for and protect him. As to the minor's estate, it is the guardian's duty to take possession of it for the use of the minor. He must inventory the estate and make a return of the same to the clerk of the court within three months. If at any later time any new estate comes into his hands a return of such estate must likewise be made. Every guardian is required to make an annual report to the clerk of the court of his dealings with and in connection with the minor's estate and to present proper vouchers for payments made by him for or in behalf of the said minor.

It is the duty of the guardian to collect all debts due to the estate of the minor. He is responsible not only for what comes into his hands but what should have come into his hands in the exercise of all ordinary diligence and the highest degree of good faith towards his ward's estate. He is responsible for an improper settlement made with reference to his ward's estate,and if he delays bringing suit to recover a debt due to the estate of his ward until the parties owning the debt become insolvent he thereby becomes personally liable. A guardian who suffers his ward's lands to be sold for taxes will be held to answer for the value of the same. A guardian in the management of his ward's estate must act in good faith and with that care and judgment which the ordinary man shows in his own business. Any profits derived from the management of the estate of the ward goes to the ward and not to the guardian.

While the general rule is that the guardian has no authority

to sell any of his ward's estate except perishable goods, the court will order a sale of either real or personal property when the guardian makes oath that such sale will be advantageous to the estate of the ward. Every such sale must be approved by the court.

It is the duty of the guardian to invest or place the funds of his ward so that they will bring him an income. If he fail to do so, he will be charged with interest on funds which he has held unemployed. Where lands are purchased by a guardian with his ward's funds, the ward, on coming of age, may take the lands or require the money which would have been due. Guardians are not permitted to take profit by speculating with their ward's funds. A guardian who deposits his ward's money in a bank is responsible to such ward for the full amount. Where a guardian lends his ward's money, he is required to take security to a note given for the loan of the same.

A minor sues by his guardian if there be one or unless the action is against such guardian. In case the action is against the guardian or he is without a guardian, the minor sues by his next friend. Minors are defended in every action by a guardian. If the minor has no guardian, the court will appoint a guardian *ad litem* to make a defense for the minor in that case.

The clerk of the court has the power to remove the guardian at any time, to compel an accounting, and to appoint a successor. He is empowered to make rules for managing the estate of the minor and for the better education and maintenance of such minor. It is the duty of the clerk of the court to remove a guardian in the following cases:

When the guardian wastes his ward's money or converts it to his own use, when he mismanages the estate of his ward, when he is about to marry or intends to marry his ward in disparagement, when the guardian neglects to educate or maintain his ward in a manner suitable to his or her degree, when the guardian is legally disqualified, that is, would be disqualified to act as administrator, or when the guardian or his sureties are likely to become insolvent or non-residents.

It is the duty of the grand jury of the county to present to the Superior Court the names of all orphan children that have no guardian or are not bound out to some trade or employment. It is further the duty of the grand jury to inquire into all abuses, mismanagement and neglect of children. The clerk of the court is required to lay

before the judge at each term a list of all guardians acting in his county.

When any orphan is represented by the clerk of the court as having an estate and no person will act as guardian, the judge will, on motion of solicitor, appoint a receiver for the estate of such orphan.

Whenever a guardian is removed and no person is appointed in his stead, the clerk of the court must notify the solicitor with the name of the guardian with his sureties to the end that the solicitor may institute an action to secure the estate of the ward. The judge of the Superior Court is empowered to appoint the clerk of the court or some other discreet person to act as receiver for the estate of the minor under the direction of the court and until a guardian is appointed or he is otherwise discharged.

Crimes in Relation to Guardianship.

It is a felony for a guardian to embezzle or fraudulently, knowingly or wilfully misapply or convert to his own use any part of his ward's estate which shall have come into his possession or under his care.

Discussion:

If every clerk of the court in North Carolina will perform his full duty in guardianship matters as required by law the interest of children in this field will be well cared for.

VII GENERAL LAW RELATING TO CHILDREN

Civil Law.

In North Carolina every person is an infant until he arrives at the age of 21, and every infant is presumed to be under the care and direction of his parent or guardian. The result of this is that he is held not to be able to transact business for himself.

Contracts:

The general rule of law is that an infant is unable because of his infancy to make any contract which will be binding upon him. If he enters into a contract, it is held to be voidable—that is, he may

later affirm or disaffirm it as he sees fit. An infant can not appoint an agent to act for him where he could not act for himself.

There are, however, certain contracts into which an infant may enter and which will be binding upon him regardless of his infancy:

1. An infant more than 14 years of age may consent to his or her apprenticing and thereafter be bound according to the terms of the indenture.
2. An infant more than 15 years of age may check out of a bank any money which has been deposited by him or in his name and his check becomes a valid receipt for the discharge of the bank.
3. If the infant be of the age required by law, he may enter into a binding contract of marriage.
4. An infant father or infant mother, if the father is dead and has not acted in this specific capacity, may dispose of the custody of his minor child by deed or will.
5. And lastly an infant may bind himself to pay for necessaries furnished to him, or furnished for his wife or minor child.

As to necessaries, it has been held that an infant who lives with his father can not bind himself to pay for such as are furnished to him unless his father is unable or refuses to provide the same; and an infant who has a guardian is likewise unable to bind himself for the necessaries of life. But if the infant lives apart from his father and receives an income from his labor for his own use or if he is without any legal protector he has the power to bind himself for necessaries. Under the law of North Carolina a common school education is a necessity, but a professional education is not.

Contracts made by an infant may be avoided by him or by some one representing him. Infancy may be pleaded by the infant or by his representatives. It can not be pleaded against him.

The law is, that contracts entered into by an infant and relating only to persons or personal property may be avoided at any time during minority or within reasonable time after arriving at majority. An infant can not be convicted under an indictment for disposing of mortgaged property. The very disposing of the mortgaged property is a disaffirmance of the contract.

A deed for real property made by an infant may be disaffirmed by him after arriving at the age of 21. Once a deed is made there can be no complete avoidance until the infant comes to be of age.

He has until he arrives at majority for making up his mind, but if he means to disaffirm his deed he must do so within three years after arriving at majority.

The mere acknowledgment of voidable indebtedness contracted during infancy after arriving at majority will not be binding. The infant, after arriving at majority, must expressly confirm the contract or make a new promise voluntarily and deliberately and with the full knowledge that no legal liability exists against him.

As to the torts of an infant, the rule is that he is liable both criminally and civilly for his wrongs. This is true even if the wrong done by the child was done under the direction of his father or some other person having authority over him.

No infant appears for himself, either as plaintiff or defendant in the civil action, or special proceeding. His guardian, if he has one, appears for him. If he have no guardian or if the action is against the guardian, he may appear by his next friend. When an infant is a defendant and has no guardian, the court will appoint a guardian *ad litem* who makes the defense for the infant.

It is not always necessary that an infant have notice that an action has been brought for him by his next friend. The court will inquire into the propriety of the action. The next friend is an officer of the court and should always be appointed by the court. He may likewise be removed by the court. A next friend must not be hostile to his infant; neither he nor his own attorney may have any interests adverse to those of the infant. A defendant can not object to the next friend appointed by the court for an infant plaintiff. The presumption runs always that the courts will protect the interest of infants.

It is the duty of a guardian *ad litem* or a next friend to protect his infant's interests. He has no authority to waive any substantial right. Neither may the rights of the infant be yielded by a consent verdict without the supervision of the court. A guardian *ad litem* for an infant defendant is not appointed until after service of summons is made upon the infant, but the infant may accept service of process.

Service of process upon an infant more than 14 years of age is made by simply reading it to him. If the child is under 14 years of age service of process must be made by delivering a copy thereof to the child and also a copy to his father or mother, guardian or person with whom he resides or by whom he is employed. But the

answer of a guardian *ad litem* cures the failure to leave a copy of the summons with the father, mother, guardian or other person as required by law. Personal service on the infant is necessary for judgment against him. Infants will not be bound by judgment rendered under the rule of class representation. They must be personally served. It has been held that an infant does not have the power to waive or admit service of process.

A judgment of a court in which an infant appears by his own attorney and not by a guardian, guardian *ad litem* or next friend is erroneous and will be reversed or set aside. A judgment rendered against an infant who has not been served with process and who has no guardian or guardian *ad litem* is void.

Criminal Law.

In North Carolina a child under seven years of age is presumed to be incapable of committing a crime. He can not be convicted and punished for any offense. Children between the ages of 7 and 14 are likewise presumed to be incapable of committing crime but this presumption may be overcome if the child appears to the court and jury to be capable of discerning between good and evil.

A child under the age of 14 is not liable for a misdemeanor unless the facts exhibit brutal passion or other acts of like character. The law prefers that children under the age of 14 be left to their parents or teachers for correction.

Children over 14 years of age are just as liable to be convicted of a crime and to be punished as if of full age. After a child reaches the age of 14 there is no presumption of innocence.

Crimes Involving Infancy

Abduction.

It is a felony to abduct any child under 14 years of age. This does not apply, however, to the father, mother, uncle, aunt, brother or older sister of such child. It is a felony to kidnap any person, child or adult.

Admittance to Places.

It is a misdemeanor for any keeper or owner of any barroom, billiard room or bowling alley to allow any minor to enter or remain

in such place. This law becomes effective, however, only after the parent or guardian of the minor has notified the keeper or owner of the place that such minor be not allowed to enter or remain in such place. (There are no legal barrooms in North Carolina.)

Concealing of Birth.

It is a felony to endeavor to conceal the birth of a child by secretly burying or disposing of the dead body of a new born child. To aid, abet or counsel any woman in concealing the birth of her child is a misdemeanor.

Contributing to Delinquency.

It is a misdemeanor for any parent, guardian or person controlling or employing any child knowingly to cause or permit such child to become delinquent.

Employment of Child.

To employ and carry out of the state any minor or to induce any minor to go out of the state for the purpose of employment without the written consent of the parent, guardian or other person having the minor in charge is a misdemeanor.

To employ any minor on piecework with the intent to cheat or defraud such minor and to fail to pay him for his work is a misdemeanor.

Neglect.

It is a misdemeanor to leave any child under 7 years of age locked up or confined in any building and to go away without leaving some person of discretion in charge of the same and thereby to expose the child to dangers of fire.

Obscenity.

To exhibit, lend, publish, sell or have in possession for the purpose of sale or distribution any obscene matter or to post any indecent matter or to make any indecent exposure or to give or to take part in any indecent show or exhibition or to permit any such show or exhibition to be conducted in or on one's property is a misdemeanor. To cut, carve or paint any lewd indecent word or picture, near a public highway or in a public place, is likewise a misdemeanor.

Prostitution.

It is a misdemeaner to procure any female for prostitution or to induce any female to any house of prostitution or to procure a place for her in such house or to induce her to enter any such place or to come into the state or to leave the state for the purposes of prostitution or to receive or to agree to receive any pay for such procuring of a female for such purposes.

It is a misdemeanor to commit any act of lewdness in the presence of any student under the age of 21 years of any boarding school or college or within three miles of such school or college.

Weapons.

If any parent or guardian or other person standing in the place of a parent knowingly permits any child under 12 years of age to have or use in any manner any loaded or unloaded pistol he is guilty of misdemeanor. It is a misdemeanor to sell or give any deadly weapon to a minor.

Intoxicating Liquors.

To give any minor under 17 years of age any intoxicating drink or liquor is a misdemeanor. (It is unlawful to sell intoxicating liquors to any person in North Carolina.)

Cigarettes.

It is a misdemeanor to sell or give to any child under 17 years of age cigarettes or tobacco to be used as cigarettes or to aid or assist any child under 17 years of age to get cigarettes or tobacco to be used as cigarettes.

Sex Crimes.

Intercourse with a female under 12 years of age is a capital felony. Carnally to know any female over 12 years of age without her consent is likewise a capital felony.

It has been held that a child under 14 years of age can not be held to be guilty of assault with intent to commit rape.

It has also been held that a woman as well as a man may be guilty of carnally knowing a child under the age of 10.

PART II—ADMINISTRATIVE AGENCIES AFFECTING CHILDREN

The law as written and as interpreted and applied by the courts in particular cases goes far in determining just what the treatment of any individual child in any particular case may, or in all probability, will be. But the giving of proper care and protection to all the children of a state depends more largely upon the administrative forces of the state than upon statutes. Laws without end may be written and yet children go uncared-for.

No proper understanding of the care given by any state to its children can be had unless one knows what agencies are set to care for children, how well they are manned, and how perfectly or imperfectly they function. Good administrative agencies can and will do much even with but little statutory law.

As a rule, four departments of state governments concern themselves in one way or another with the children of the state. Different names are applied in different states, but generally speaking they are, the Departments of Public Health, of Public Education, of Labor, and of Charities or Public Welfare. With the exception of the Department of Labor, which does not function as such a department should function, North Carolina in the main follows the rule. The law and organization of the administrative forces of the state has provided the four departments. They are in existence and in more or less active operation.

The Department of Public Health deals with and cares for the children of the state as a part of the whole population. But since much of the work of promoting and protecting the public health is educational, children necessarily receive unusual attention. The Department of Public Education deals primarily and almost exclusively with children. It is really the state engaged in the more or less successful business of training and fitting its children for complete living and productive service. The Department of Labor in North Carolina does not take that oversight over children in employment or working conditions which departments of labor usually take. The State Department of Charities and Public Welfare, as usual, confines its activities almost exclusively to the care of out-of-the-ordinary persons whether adults or children. Children therefore, who for any reason cannot or do not live as ordinary children live are expected to come under this Department.

I. Department of Public Health.

The North Carolina Board of Health has charge of all matters relating to the public health. Nine members constitute the board. Of these 5 are appointed by the Governor, one of these being a sanitary engineer; 4 are elected by the State Medical Society from its membership. Each member holds for a term of 6 years. It is the custom of the Governor to appoint 4 physicians. The result is, therefore, that the State Board of Health is composed of 8 physicians and 1 sanitary engineer.

The State Board of Health elects a President and Secretary-Treasurer, each for a term of 6 years. The President must be a member of the Board, and the Secretary a registered physician of the state. An Executive Committee consisting of the President, Secretary and two members elected by the board is provided for.

An annual meeting is held with the annual meeting of the State Medical Society. Other meetings of the entire Board or of the Executive Committee are held at the call of the President.

The Secretary of the Board of Health is the executive officer. He is the State Health Officer and the duties of the Board are performed largely by him or under his direction with the advice of the Executive Committee. They are:

1. To take cognizance of all the health interests of the state.
2. To make sanitary investigations—experts may be employed.
3. To investigate the causes of disease, epidemics and mortality including the effects of location, employment and conditions.
4. To gather and distribute information about diseases.
5. To act as adviser in regard to the location, construction and management of state institutions.
6. To direct the attention of the state to sanitary matters effecting the industries, property, health and lives of the people.
7. To make at least one inspection a year of every state institution including convict camps, and to report and make recommendations to the board of directors of every such institution. To make special investigations of any state institution whenever required to do so by the State Board of Charities and Public Welfare.
8. To assume jurisdiction in cities and towns not having regularly organized boards of health in time of epidemics and to make regulations necessary to protect the public health and to enforce the same by penalties.
9. To investigate the causes of disease and to issue bulletins of information and advice whenever necessary to prevent or check disease.

The many duties heretofore enumerated are handled by the State Board of Health through different bureaus, all under the supervision of the secretary. For his special aid an executive department has been established. Three persons in the office and two field agents, five in all, are employed in this department. It co-ordinates the work of the different bureaus and supervises county departments of health whenever established.

1. *Bureau of Engineering and Education.*

Five persons are now employed in this bureau. It has two functions in chief.

a. To have charge of all sanitary engineering work, water supplies and sewage disposals.
b. To publish the Monthly Bulletin and other matter and to carry on constantly in all possible ways an aggressive state campaign of education in matters relating to the public health. This is done not only by printed matter but by talks, illustrated lectures, motion pictures and exhibits.

2. *Bureau of Vital Statistics.*

Fourteen persons are employed in this bureau, in the collection compilation and publication of the vital records of the state. North Carolina is now in the Federal Registration Area of Vital Statistics.

3. *Bureau of Medical Inspection of Schools.*

At present but two persons are employed in this bureau. The work has only recently been established. Its duties are to supervise the examination of public school children, as provided for by an Act of the General Assembly of 1917. This Act provides for the examination of every public school child at least once in every three years. The plan of the bureau is to handle the children in one-third of the 100 counties of the state every year.

The State Board of Health prepares examination cards with instructions, rules, and regulations, and in co-operation with the Department of Public Instruction, distribute these to the teachers of the public schools of the counties selected for the year. The teacher makes the examinations and transmits the card report on every child in his or her school to the county health officer or some

physician designated by the State Board of Health. A failure on the part of the teacher is cause for the revoking of his certificate to teach in the public schools. It is the duty of the physician designated to go over the cards and to notify the parents of any child whose reports indicate physical defects to bring the same before him for examination. It is a misdemeanor for the parent to fail to comply with this notice. Physicians except whole-time county health officers are paid 60 cents for each examination out of the county fund. After examination the parent is notified of the defects of the child and advised as to treatment.

The State Board of Health and the State Superintendent of Public Instruction are authorized to arrange with physicians and dentists for the treatment of children found to be defective at reduced rates. Where satisfactory arrangements can be made the State pays 20 per cent of the fees, provided the board of county commissioners will pay a like amount.

4. *The Bureau of County Health Work.*

This Bureau employs at present two persons. It came into existence as a result of Chapter 276,—1917. It is a special plan for co-operation for public health work in any county between the county, the state, the Federal Government and certain semi-public health agencies. The purpose of the bureau is to bring county public health work under a more direct control of the State Board of Health, than is provided for by the general law. The state contributes through the State Board of Health $1 for every $3 contributed in any county, which may see fit to adopt the plan. Nine counties are now co-operating under this Act of 1917, which calls for a whole-time county health officer appointed by the State Board of Health with such assistants and equipment as will enable him to handle the different units of health work.

5. *Bureau of Epidemiology.*

The number of persons employed at present is four. The Bureau was established to carry out the provisions of Chapters 257 and 263 of 1917. Operating as it does for the supervision and enforcement of two independent acts its function is two-fold.

a. It collects reports of all epidemic diseases and tabulates these in permanent records. It also supervises the control of all

contagious diseases as they may occur. Chapter 263—1917 provides for the appointment of a quarantine officer by the county in every county. County health officers may be quarantine officers. If the County Board of Health fails to appoint a quarantine officer the Secretary of the State Board of Health may appoint, and he may remove any quarantine or county health officer who refuses or fails to enforce the provisions of the Act.

b. It distributes and enforces the use of the treatment for the eyes of young children to prevent blindness, keeps a record of all such treatments and also a record of all persons practicing midwifery in the state.

The Act does not apply to cities with a population of 10,000 or more, or to counties where there is a joint city and county sanitary administrative; but the system of quarantine in such cities and counties must be approved by the State Board of Health, and reports of contagious diseases must be made in such cities and counties to the State Board of Health just as from all other cities and counties.

It is the duty of every physician to notify within 24 hours the county quarantine officer, of the name, address, including the name of the school district and with the name and address of the parent or guardian of a minor, of every person in the county about whom he has been consulted professionally and whom he believes to be afflicted with disease declared by the State Board of Health to be infectious or contagious. It is the duty of every parent, guardian or householder to give the same notice for any person in his family or household whom he suspects to be afflicted with any disease declared by the State Board of Health to be infectious or contagious but about whom no physician has been consulted. Thereupon it becomes the duty of the quarantine officer to transmit every such report to the Secretary of the State Board of Health within 24 hours after its receipt.

The State Board of Health is required to furnish blanks for reports and is empowered to make or revise the rules and regulations for the carrying on of this work.

Other Activities.

In addition to the different bureaus set out above there is attached to and placed under the supervision of the State Board of Health:

1. The State Laboratory of Hygiene which is required to make monthly examinations of all public water supplies, of water sold in bottles and of all springs adjuncts to hotels, parks or places of public resort, and of every spring or well which in the opinion of any county superintendent of health or physician is contaminated or dangerous. Water for examination is required to be sent within five days after notice. The fact that any water which is sold is found in three successive examinations to be contaminated is published in the Monthly Bulletin of the State Board of Health.

It makes examinations in cases of diphtheria, and other diseases including hookworm, and arranges for distribution at the lowest possible cost antitoxin for diphtheria, gives preventive treatment for hydrophobia, distributes free typhoid vaccine and has just recently arranged to make free Wasserman and gonorrhoeal tests. Indigent persons in proper cases may secure diphtheria antitoxin regardless of their inability to pay for it.

2. The North Carolina Sanatorium for the Treatment of Tuberculosis and Bureau for Tuberculosis which not only cares for patients but carries on for and under the supervision of the State Board of Health a continuous campaign of education on the subject of tuberculosis by the distribution of printed matter and otherwise. According to reports during the last year direct educational work on tuberculosis was done in almost 9,000 homes in the state. A nurse has recently been employed for the organization of negro health-leagues to the end that more effective educational work may be done among the negroes. The negro death rate from tuberculosis is more than twice as large as the death rate from the same disease for the white race in North Carolina.

Provision was made by the General Assembly of 1917 for the establishment and maintenance of county tuberculosis hospitals, and cities and towns are authorized to expend not more than one dollar a day for the treatment of any citizens at the State Sanatorium for the Treatment of Tuberculosis.

Every physician and hospital is required to report to the State Board of Health—Bureau of Tuberculosis—within seven days after recognition of the disease every case of tuberculosis treated or examined. It is a misdemeanor to fail to make this report as required by law. The making of a false diagnosis in order to avoid making the report is cause for revoking the license of any physician.

County Boards of Health.

The county board of health of every county has the immediate care of the public health of the county. The chairman of the board of county commissioners, the mayor of the county town—if there be no organized county town, then the clerk of the Superior Court—the County Superintendent of Public Instruction and two registered physicians of the county elected by the members named above for a term of 2 years each, constitute the county board of health. It is empowered to make rules and regulations and impose penalties for the protection and advancement of the public health of the county. It elects a county physician or health officer except in those counties co-operating with the Bureau of County Health Work, and fixes fees and salaries. But all expenditures must be approved by the board of county commissioners. Upon failure of the county board of health to elect a county physician or health officer, the State Board of Health may appoint and fix compensation.

All the registered physicians of any county constitute an auxiliary board of health for that county, and may advise the county authorities in any and all matters of public health whenever asked to do so by the chairman of the board of county commissioners.

The duties of county physicians are:

1. To hold post mortem examinations for the coroner's inquest.
2. To make examinations for the commitment of insane persons to asylums.
3. To examine and give treatment to the inmates of the county home, county jail and convict camps.
4. To investigate the causes and nature of epidemics.

County Health Officer.

A county health officer devotes his entire time to the public health work of his county. He is required to perform all the duties of the county physician and of the county quarantine officer. He also has the following additional duties:

1. To make a sanitary examination of every public school building and grounds. No public school may be used for public school purposes unless the county health officer shall have certified within four months that the building and grounds are sanitary.

2. He must examine every public school child previously ex-

amined by the teacher and reported to be defective, and recommend to the parent of every such child the proper treatment and urge that the child be given the same.

3. He is required to carry on a campaign of education in public health matters by co-operating with the different educational agencies and by public addresses and printed matter.

County boards of education have the power to appropriate out of the public school funds after providing for a six month's school in every district sufficient money to pay one-half of the cost of a whole-time county health officer. The election of such county health officer must meet with the approval of the county board of education. In addition to his other duties such county health officer is required to do school inspection, and to prepare teachers for teaching the proper care of the body and the recognition and prevention of disease.

Public Health in Cities and Towns.

Every incorporated city or town in North Carolina is authorized to elect a municipal physician, to fix fees and salaries, to make such regulations and to fix such penalties as are necessary for the protection and advancement of the public health of the municipality. It has been held that any reasonable regulations necessary to protect and advance the public health may be made by the General Assembly or municipal boards. Municipal physicians have the same duties within their cities or towns as the county physician within his county. They may be quarantine officers. They may be employed as full-time health officers and in that case their duties correspond to those of a full-time county health officer.

General Law.

County and city physicians or health officers are empowered to give notice for the abatement of nuisances; but if the party makes oath that he is not able to remove the cause of the nuisance, he is not required to do so. In such case the city, town or county will remove the cause of the nuisance, but the limit of expenditure for any one case is $1,000.

Cities and towns are authorized to expend and to borrow for the purpose of expending money without limit in controlling and preventing the spread of contagious diseases.

Full power is given by law to the health authorities to prevent travel from places infected with contagious diseases within the state or from without and into the state. Persons may be isolated for the protection of the public health.

It is unlawful to pour upon the ground the undisinfected discharges from the bowels of a person ill with cholera or typhoid. Attending physicians are required to give instructions for disinfecting such discharges.

Vaccination for smallpox is not generally compulsory, but any county or city board of health may require a certificate of vaccination for public school children when there is an outbreak of smallpox. In such outbreaks of smallpox the boards of health of counties, cities or towns may enforce general vaccination.

In case there is an appearance of yellow fever or certain other malignant diseases the Secretary of the State Board of Health must be notified at once. He immediately assumes the control of all quarantine regulations and matters.

The State Board of Health is the expert advisor not only to all state institutions, but to cities, towns and corporations, as to proper water supply and sewage disposals. Plans for every municipal, corporate or individual public water supply must be filed with the Secretary of the State Board of Health upon notice. Full information as to the sources of the water, and conditions of the water shed must be given.

Municipalities or chartered corporations furnishing water for public use may condemn lands for the purpose of obtaining or transmitting water. When a public water supply is taken from creeks having a flow of less than a million gallons daily, the water shed must be inspected quarterly. Boards of Health may order a weekly inspection and may make sanitary orders to persons living in the water shed. It is the duty of persons living in water sheds to obey all reasonable regulations and instructions.

It is unlawful to polute any public water supply or discharge sewage unless purified in a manner approved by the State Board of Health into any water supply. No cemetery or burying ground may be established within five hundred yards of the water shed of any water supply.

Schools, towns, villages and industrial settlements located on the water sheds of public water supplies and not equipped with

sewage systems must provide and maintain for the disposal of sewage a system approved by the State Board of Health.

Discussion.

1. The organization of the State Board of Health in North Carolina is satisfactory both in theory and in practice. It is unfortunate that the same can not be said of the county board of health. It is not required to be the same in every county. The law should be amended so as to strike out the possibility of the mayor of the county town's being a member. The board should in every case be composed of the chairman of the board of county commissions, the clerk of the court, the county superintendents of public instruction and the two physicians elected by them.

2. The election of every county or city physician or health officer should be required by law to be approved by the State Board of Health. The State Board of Health should know that its agent in every county and city is a competent person. In the very nature of things the work of every county or city health officer affects in a greater or less degree the public health of the entire state.

3. The greatest defect in the public health system lies in the lack of full-time health officers in many counties. In the less populous and poorer counties there are always fewer physicians and therefore a corresponding need for public health activities School premises need inspection, school children should be inspected, weighed and measured every year and the unfortunates whether in jails, convict camps or poor houses are always in need of attention not only for themselves but for the sake of the public health. The law should be changed so as to require a yearly examination of school children. County boards of education are authorized to pay one-half of the salary of a full-time health officer. The board of county commissioners should be required to appropriate the other half and the county board of health should be required to elect a full-time health officer approved by the State Board of Health. The recent epidemic of influenza shows beyond question that a full-time public health officer is needed in every county.

4. There can be no question but that the weighing, measuring and examining school children should be yearly instead of once in three years. Not much could be expected from an examination held but once in three years. Really, weighing and measuring

should be done monthly. It would be a simple matter to arrange for this. The law should be extended to cover private as well as public schools. Assurance should be made that in every county children found to be defective do receive attention.

II. Department of Public Education.

The constitution of North Carolina declares:

That schools and means of education shall be forever encouraged, that a general and uniform system of free public schools for all children between the ages of 6 and 21 shall be provided, that colored children shall be taught in separate schools but otherwise without discrimination, and that a four months' public school must be maintained in every district every year.

That the Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction and the Attorney General shall constitute the State Board of Education, and that this Board shall have control of the literary fund of the state and the power to legislate and make needful rules and regulations for the conduct of the public schools, but any such legislation, rules on regulations may be altered, amended or repealed by the General Assembly.

It thus appears that the State Board of Education is placed at the head of the public school system. The chief function of this Board is to make loans from the State Literary Fund to county boards of education for the building of public school houses or dormitories for rural high schools or county farm life schools. The money is loaned to county boards of education at four per cent to be repaid in ten annual installments, and is in turn loaned by the different county boards to district boards of education.

State Superintendent of Public Instruction.

The Superintendent of Public Instruction is the Secretary of the State Board of Education and the executive officer of the Department of Public Education. Elected by the vote of the people for a term of four years, his duties are: to publish and distribute school laws, forms, instructions and bulletins, to look after the interests of the public schools, and to report biennially to the Governor of the state making such recommendations for changes in the school law as seem to him wise. It is his duty to interpret the school law and

enforce the same together with all rules and regulations. He supervises the loan fund for public school houses, In addition he is *ex officio* member of a number of boards of educational institutions and commissions.

County Boards of Education.

Public education in the different counties is immediately directed by the county board of education consisting usually of three members. The manner of selecting the members is not uniform. In a few counties they are elected by a direct vote of the people; but in most counties they are elected by the General Assembly and the term of office of each member so elected is six years. The General Assembly of 1917 by enactment provided that the different political parties should nominate candidates for membership on the county board of education. The General Assembly will elect one of the persons thus nominated. This is a sort of pretense of electing county boards of education by the vote of the people.

County boards of education are bodies corporate and as such may buy and hold property for educational purposes. They are required to sue any and all officers, persons and corporations, except county treasurers, for money due and which should be applied to the maintenance of the public schools. In the case of the county treasurer it is the duty of the board of county commission to bring suit. The net proceeds from all fines, penalties, and forfeitures and from certain other enumerated sources belong to the public school fund of the county. A list of all such is required to be filed semi-annually with the county board of education.

Every county board of education being charged with the conduct of the public schools is empowered in conjunction with the county superintendent of public instruction to make rules and regulations for both teachers and pupils. It fixes the time of opening and closing the public schools in the county which must be a continuous session. Different dates for opening may be fixed in different townships but all the schools in any township are required to open on the same date. It is empowered to acquire school sites by gift, purchase or condemnation. It contracts in writing for the erection of public school houses which must conform to plans approved by the State Superintendent of Public Instruction, and may pay not exceeding one-half its cost out of the county building fund. It elects the county

superintendent of public instruction and may discharge him for incompetency, failure to discharge his duties, immorality or disreputable conduct. It may remove a school district committeeman for inability or failure to discharge his duties, and may dismiss a teacher of bad moral character. It may sell school property which has become unnecessary for school purposes.

The districting, redistricting or consolidating of the county or any part of it for public schools lies wholly within the power of the county boards with two exceptions. No school may be established within three miles of one already existing and no district with less than sixty-five children of school age unless it contains twelve square miles or is cut off from the schoolhouse by dangerous natural barriers. Two or more contiguous districts may be consolidated into one. When districts are consolidated the county board has the power to provide transportation for pupils living at a distance from the school and to pay for the same out of the apportionment of public school funds for that consolidated district. The policy of the State Department of Education is to consolidate whenever possible and thereby to eliminate as rapidly as possible the one-teacher school.

The members of the township of district school committee are appointed by the county board of education.

County Superintendent of Public Instruction.

One of the chief functions of the county board of education is to elect the county superintendent of public instruction, who after his election becomes *ex officio* secretary to the board. The law requires; that he be a man of liberal education and good moral character, that he have had two years experience in teaching or supervising within the five just preceding his election and that he have a superintendent's certificate from the State Board of Examiners and Institute Conductors. He holds his office for a term of two years. Women are not eligible. The law makes provision for the joint election and support of a county superintendent by the boards of education of two adjoining counties. Such a superintendent is required to devote his entire time to the work.

The compensation of the county superintendent of public instruction is fixed by the county board of education; but may not exceed 4 per cent of the disbursements for public education in his county, except that when the amount disbursed for public schools

exceeds $15,000 a full-time county superintendent may be employed at such salary as the county board deems proper. No county superintendent may teach while the public schools of his county are in session except by special permit from the State Board of Education.

The duties of the county superintendent are: to act as the secretary and executive officer of the county board of education, to see that all fines and forfeitures belonging to the school fund are properly paid in, to hold at least one teachers' meeting in every township of the county, and to keep himself thoroughly informed as to the progress of education and to advise with the teachers of his county as to the best methods of teaching and conducting a school. He is required to visit the public schools while in session. He has authority, with the concurrence of the township or district school committee, to discharge any teacher found to be incompetent or neglectful of his duties or who is guilty of immoral or disreputable conduct. He is required to make a detailed report to the county board of education and to the State Department of Education at the end of each month, and he is required to attend the annual State and District meetings of the Association of County Superintendents.

All blanks and forms necessary for the conduct of the public schools and furnished by the State Department of Education are distributed from the office of the county superintendent. He compiles not only the yearly schools census but the actual school attendance and transmits a report of each to the State Superintendent. A special census of deaf and blind children is taken and in addition to his report to the State Superintendent every county superintendent is required to furnish information about blind and deaf children in his county to the heads of the different institutions for the deaf and blind.

School Committee.

The county board of education elects the members of the township or district school committees to take immediate charge of the public schools in each township or the school in each district. Three members are elected for each township or district as the case may be. One is elected every year and each serves for a term of three years. Women may lawfully act on school committees. Every committeeman is required to be of good moral character and known to be in favor of public education.

The school committee has full power of control over the public schoolhouse or schoolhouses, sites, grounds and all public school property. Its duties are: to take or have taken a yearly census of all children of public school age on blank furnished by the State Department of Education, and to furnish to the teacher a complete copy, to contract with a teacher for the public school or with the teacher of a non-sectarian private school for the teaching of the public school children of that district.

Special School Districts.

There are a large number of special school districts in the state but all operate under and are governed by the general education laws.

Cities and Towns.

Practically all of the cities operate and most of the towns operate under special school charters. In some cases the governing school board is the board of alderman. In others the school board is elected. In some cases they are under the supervision of the county superintendent, in others reports are made direct to the State Superintendent of Public Instruction. There is no uniformity. High schools are established and serve as a part of the public schools of cities and towns.

Special Tax Districts

A special tax district may be formed regardless of township lines by a vote of the people living in the proposed district. The election is called by the board of county commissioners upon petition by one-fourth of the freeholders within the boundary and approved by the county board of education. Any special school tax up to 30 cents on the $100 and 90 cents on the poll. Of course, all the money raised by this special tax is applied to supplement the regular school funds. A special tax district may be enlarged and the special tax may be increased to 50 cents on the $100 and $1.50 on the poll by the same method, except that an election to increase the tax above 30 cents must be begun by a petition of one-third of the qualified voters in the district. Special tax districts may be formed out of parts of contiguous counties. Every special tax district has a committee of three appointed by the county board of education.

Special Township High School District.

When there is sufficient public funds a township high school may be established without an election, but the usual method is to vote a special tax for a township high school. The election for such a special tax is called by the board of county commissioners upon petition by one-fourth of the freeholders of the township approved by the county board of education. A special high school committee of three appointed by the county board of education controls the High School or Schools established by the majority of the qualified voters of the township.

Public High Schools.

With the consent of the State Board of Education any county board of education may establish from one to four public high schools in the county. The term is required to be not less than seven months a year.

Each high school thus established is controlled by a committee of three appointed by the county board of education. Courses of study and requirements for admission are prescribed by the State Superintendent of Public Instruction. Every teacher is required to hold a state high school certificate. No teacher may be employed without the approval of the county superintendent.

A public high school may be established with an elementary public school but there must be at least three teachers—one for the high school and two for the elementary branches. There must be an average daily attendance of twenty high school pupils.

Public high schools are supported equally by the State Board of Education, the county board of education and the school committee of the district, but the State Board of Education will not furnish less than two hundred or more than six hundred dollars a year to any one high school. The amount is determined by the average daily attendance of the preceding year and the grade of work done.

County Farm Life Schools.

There are two farm life school laws—the general law and the Guilford County law, which may apply to any county complying with its provision.

The general farm life school act provides that the board of education of any county may request the board of county commissioners

to call an election on a county farm-life school. If a majority of the qualified voters vote for the county farm life school a board of trustees consisting of one member from each township is appointed by the county board of education. The county superintendent is *ex officio* a member and secretary of this board.

Provision is made in the act for calling an election in any township to provide for the support of the county farm life school if located in that township. If a county fails by vote to establish a county farm life school any township or two or more contiguous townships may establish it by vote of the people.

A public high school must be run in connection with every county farm life school. The course of study and the requirement for teachers are the same as for other public high schools. The principal of every farm life school must hold a high school teacher's certificate except as to Latin, Greek and modern languages, and the president of the North Carolina College of Agriculture and Mechanic Arts must certify to his fitness. The same requirements hold for the person employed to teach home-making and house-keeping except that the president of the State Normal and Industrial College must certify as to fitness.

Every county farm life school is required to conduct agricultural farm life extension and demonstration work in the county in co-operation with the United States and State Departments of agriculture, all under the supervision of the county superintendent of education.

Students of the county are admitted without tuition, students from other counties may be admitted by paying tuition.

The county, township or district is required to furnish the farm of at least 25 acres and other equipment and $2,500 a year for support. The State Board of Education will then order $2,500 a year out of the state funds making in all $5,000 for support.

Only one county farm life school may be established in a county and not more than ten county farm life schools may be established in the state in any one year. Only one school has been established under this law.

The Guilford County Farm Life School Law follows the line of the law just above given and may be applied by any county. The chief difference lies in the fact that agriculture and home making is made a part of the course of public high schools and that ten acres of land will be held to be sufficient.

Teachers.

Every public school teacher is employed by the school committee upon approval by the county superintendent, and any teacher may be dismissed by the school committee after charges have been filed in writing with the county superintendent. Every teacher must be eighteen years of age and must have a certificate authorizing him to teach in the public schools. The school committee fixes the compensation of the teacher within the maximum fixed by law and the county board of education. Second grade teachers may not be paid more than thirty-five dollars a month. Third grade teachers may not be employed except as assistants and may not be paid more than twenty dollars a month.

Every teacher is required to show an average daily attendance of twenty pupils and in case the attendance falls below this the school may be closed by the county board of education. No assistant teacher may be employed in a one-teacher school until the average daily attendance reaches forty. If an assistant is employed and the average falls below forty for four consecutive weeks, he must be discharged.

The duties of a teacher are: to keep a record of the attendance and classification of every pupil, to report from time to time and at the end of the term to the county superintendent, to maintain order, and discipline in their schools, to encourage morality, industry and neatness and to teach all the branches required by law to be taught. A teacher has the authority to dismiss a disorderly pupil or one of bad character.

Teachers' Certificates.

Every person in the state who teaches or supervises in the public school is required to have a first grade certificate from the State Board of Examiners and Institute Conductors or a second or third grade certificate from the County Superintendent. No voucher may be approved by any county, city or town superintendent for teaching by a person not having a certificate.

The State Board of Examiners and Institute Conductors is made up of six members—three men and three women, appointed by the Governor. It was created by the General Assembly of 1917 and is hardly yet in full operation. When thoroughly established each member will hold for a term of four years, three being appointed

every second year. The State Superintendent of Public Instruction is *ex officio* Chairman of this Board.

It has entire control of examining, accrediting and certificating every teacher, principal, supervisor, superintendent and assistant superintendent in all public elementary and secondary schools, and no board may employ anyone who is not certificated by this Board, except county superintendents and town or city superintendents of towns and cities operating a system of public schools under a special charter may examine and grant certificate of the second and third grade. Provision was made in the act for the continuation of all state high school, five-year state elementary school and county first grade certificates. All county and city superintendents and assistant superintendents in service at the time of the act were made entitled to a temporary certificate by the act, and the Board is given the power to make rules governing the renewal and extension of these, and in certain cases of undoubted fitness to issue permanent certificates. Superintendents of schools acting under special charters were given the right to file a list of all teachers employed with a certified statement of their qualifications and training and the State Board was authorized to issue to all of them, without examination a permanent certificate of the grade recommended subject to the rules of the board. No school money may be paid over by the state or county board of education to any school committee or board of trustees which has employed a teacher without a certificate.

Examinations are held in every county by the county superintendent or someone designated by the State Board, and are conducted under rules laid down by the State Board. Temporary certificates may be granted to those who are ill or out of the state at the time of the examination.

The law makes the following classes of certificates: Superintendents', assistant superintendents', high school principals', high school teachers', elementary school teachers', elementary supervisors' and special certificates. Under authority of law to subdivide and define in detail the different classes of first grade certificates, the State Board now issues 15 certificates: elementary, primary, grammar grade, elementary supervisor, primary supervisor, grammar grade supervisor, high school teacher, high school principal, assistant superintendent, superintendent and five special certificates.

The State Board of Examiners and Institute Conductors are

required to conduct biennially in each county a teachers' institute for at least two weeks. Every teacher, principal, supervisor and superintendent is required to attend an institute biennially or some summer school for teachers approved by the State Board of Examiners and Institute Conductors. Separate institutes must be provided for negro teachers.

Course of Study—Public Schools.

The following branches are required to be taught in the public schools: spelling, reading, writing, arithmetic, drawing, language and composition, English grammar, geography, history of North Carolina and of the United States, elementary civil government, the elements of agriculture, physiology and hygiene, including the nature and effects of alcoholic drinks and narcotics. The State Board of Education may direct that other subjects be taught, but the law requires that adequate provision be made for teaching first the above list of studies from spelling to history inclusive. High School branches may not be taught in a one-teacher school.

The School.

The board of county commissioners is required to levy a sufficient tax to run the public schools four months provided that this tax may not exceed 15 cents in the $100 and 45 cents on each poll. Any district, township, city, town or county may by vote levy a special tax for the support of schools. The state makes a per capita appropriation of $250,000 for the support of public schools and also sets aside a tax of 5 cents on the $100 for equalizing the terms of public school after the schools of every county are first brought up to four months. The state equalizing fund can be used only for paying public school teachers.

Compulsory Education.

The experience of man is that for the education of all the children of a state a law compelling them to attend school is necessary.

The law of North Carolina requires every child between the ages of 8 and 14 to attend school four months continuously each year with the following exceptions: when the child is mentally or physically incapacitated as attested to by a physician, when he lives more than two and a half miles from the school, when in cases of extreme

poverty the child's services are necessary for his own or his parents' support, or where the child is without clothing or books. Two unexcused absences a month are not unlawful and a child may be excused for bad weather or illness or death in the family. Attendance on a private school under proper conditions may be counted as attendance on the public school.

It is the duty of parents and guardians to keep their children in school as required by law. An attendance officer whose duty it is to enforce the law is appointed by the county board of education for each township. Teachers are required to notify in writing at the end of each week every parent or guardian and the attendance officer of the absence of children of compulsory age. Parents and guardians have three days in which to show to the teacher that the absence was with a lawful excuse. Upon failure, the attendance officer is required to prosecute the parent or guardian before a justice of the peace or other court of concurrent jurisdiction. The law provides that every teacher must file a report with the attendance officer at the end of each compulsory month, showing all unexcused absences of compulsory age. Parents and guardians are required to meet the attendance officer at the school house on the following Saturday to show cause for absences. The attendance officer is required to prosecute parents and guardians who fail to show lawful excuses for absences.

The only compensation provided by law for the attendance officer is $2 a day for this service on one Saturday of each month. County boards of education may however make additional rules and regulations for securing full school attendance.

Textbooks.

The textbooks used in the public schools are adopted by the State Board of Education for a period of five years. Teachers and pupils are required to use exclusively in the public schools the books adopted. A subcommission of five to ten persons, practical teachers, are appointed by the Governor to aid the State Board of Education in selecting the textbook.

Libraries for Public Schools.

The law provides a method by which any school district may secure a small library. If the district raises by private subscription

$10 then $10 will be appropriated by the county board of education and then the State Board of Education will appropriate ten, making in all $30. A second library may be secured by any district at the end of ten years after the securing of the first.

Health of School Children.

(See report on Department of Public Health.)

Supervising Agencies.

For the aid of the State Superintendent of Public Instruction in supervising of the public system of the state the following have been provided for his office: A Chief Clerk; Secretary of the Loan Fund and Statistics; Supervisor of Teacher Training; Inspector of High Schools; Supervisor of Elementary Schools; Supervisor of Colored Schools; Director of Vocational Training, who has the supervision of the administration of the Smith-Hughes Fund; Bureau of Community Service and Bureau of School for Adult Illiterates. The State Board of Examiners and Institute Conductors is, of course, connected with the same office.

State Institutions for Preparing Teachers.

For the preparation of white teachers the state has established and supports the following institutions:

The University of North Carolina, for males and females, located at Chapel Hill.

The North Carolina College of Agriculture and Mechanic Arts, for men, located at Raleigh.

The State Normal and Industrial College, for women, located at Greensboro.

The East Carolina Teachers' Training School, for males and females, located at Greenville.

The Appalachian Training School for males and females, located at Boone.

The Cullowhee High School, for males and females, located in Jackson County.

For the training of colored teachers the state has established the following state colored normal schools:

Elizabeth City State Normal School for males and females, located at Elizabeth City; The Fayetteville State Normal School,

for males and females, located at Fayetteville. The Slater Industrial and State Normal School, for males and females, located at Winston-Salem.

The state has also established and supports the Cherokee Normal School of Robeson County which is really a high school for Indian males and females and is located in Robeson County.

Discussion.

The System of Public Education in North Carolina is a growth and its form has been shaped as pressing needs have demanded consideration. In the main, the system works well. There are, however, certain improvements which could be made without at all interrupting the operation of the educational forces as they now exist.

1. Local taxation by districts for schools has been pressed. The result in some cases has been the education of a part of the children while another part has been left with little schooling. In the future it will be well if local taxation is voted by townships and better by counties. Best of all the people of the state should adopt the constitutional amendment now pending so as to insure a six months' school term in every school district. (This amendment has been adopted.)

2. The present manner of selecting the members of the county boards of education is a sort of hybrid. School training is a part of education; voting is another part. In a democracy in any state the people of any county ought to be able to select the members of the board which controls the education of their children. If they are not, there is no better way of insuring that they will learn than by throwing the responsibility upon them. Members of county boards of education should be elected by the people of the different counties.

3. The compulsory educaton law is defective:

(a)—In that children of compulsory age are not required to attend the full public school term.

(b)—In that children whose labor is necessary for their own or their parents' support are allowed to remain out of school. Aid should be provided by law for all such cases and the children sent to school. Children without clothing or books should be furnished out of public funds and sent to school.

(c)—In that four unexcused absences are allowed for each school month. This simply encourages irregularity in school attendance.

There should be no absences for which there is no lawful and proper excuse.

(d)—In that proper provision is not made for an attendance officer. A compensation of $2 a month will not insure proper enforcement. Besides, the attendance officer can not be at all the school houses in a township in one day.

(e)—In that the compulsory age does not extend to the age of 16 except when the child over 14 years of age has completed the fourth grade and is at work under a work permit as provided for by law.

The compulsory education law should be amended so as to cure these defects. Its enforcement should be placed in the hands of the county superintendent of public welfare, in the smaller counties the county superintendent of public instruction and the county superintendent of public welfare ought and will be one and the same person. In the larger counties the office of the county superintendent of public welfare, should handle truancy along with other child problems.

4. Teachers in private schools receiving children of compulsory age should be required to procure certificates. The course of instruction in all such private schools should be required to conform to that of the public schools. They should be supervised by the county superintendent.

5. A public high school education should be placed within the reach of every child who may desire it.

III. Department of Labor.

The Bureau of labor in North Carolina is combined with the department of printing and is known as the Department of Labor and Printing. The Commissioner of Labor and Printing, who is elected by popular vote for a term of four years, presides over this department. An assistant commissioner and a stenographer are provided for by law. The law requires that the assistant commissioner be a practical printer.

The duties of the Department of Labor and Printing in the field of labor are: to collect and collate statistics concerning labor and its relation to capital, the hours of labor, the earnings of workers, the educational, moral and financial condition of workers, to act as in-

spector of mines, and to publish an annual report. In the field of printing, it is the state supervisor of all printing and binding done for any department of state. All accounts for state printing or binding must be approved by the Commissioner of Labor or the assistant commissioner before being paid. All stationery used in state printing is purchased by this bureau.

For this report the powers and duties of the Department of Labor and Printing in matters relating to state printing may be left out of consideration. We are interested at this time in the department as a bureau of labor, and may speak of it as such.

The Commissioner of Labor is charged with the duty of inspecting mines. North Carolina is not a mining state. Aside from his duties with respect to inspecting mines and investigating accidents in them, he has absolutely nothing whatever to do with the enforcement of laws regulating the employment of adults or children, or the condition under which they work. Whenever an accident occurs in a mine in which any person is killed or injured, the owner or operator of the mine is required to report the accident to the Commissioner of Labor. It immediately becomes the duty of the Commissioner of Labor to investigate the accident. He is required to keep a record of all inspections of mines and also a record of all accidents and deaths from accidents in mines.

No one, owner, operator or otherwise, except the owner or operator of a mine, is required to make any report of industrial accidents even if they result in death to the Commissioner of Labor or any one else. No record of the number of industrial accidents or of deaths resulting from industrial accidents is kept. No authority is given by law to the Commissioner of Labor to inspect for proper working conditions or safety appliances except as to mines. It follows as a matter of course that he has no authority to enforce either. Generally speaking, proper working conditions and safety appliances are enforced whenever they are enforced at all, by the requirements of accident insurance companies and the fear of damage suits for personal injury. The state has set no one to see that workers—children or adults—are provided with proper working conditions, or machinery made reasonably safe. The worker, or his administrator, is left to bring suit after injury or death. In short, except for his inspectional power in respect to mines, the Commissioner of Labor in respect to labor matters is simply a collector, collator and pub-

lisher of statistics with deductions from and comments upon the same. His office is not sufficiently manned to get the most valuable information, and he has no way of enforcing such reports as will make his compilations thoroughly reliable. Strictly speaking the bureau of labor is not a bureau of labor, but an office for the collection and publication of statistics. One wonders why so few laws for the protection of the workers of the state have been enacted and why a proper department of labor has not been created. One wonders why the working population has not demanded it. At all events but few laws have been enacted and a proper department of labor does not now exist in North Carolina.

Still, as laws relating to the employment of children and regulating working conditions are usually classed as labor laws, this seems to be the proper place for the presentation of what is ordinarily known as the child labor law of the state.

It is unlawful to employ any child under 12 years of age in any mine. The owner or operator of the mine is required to see that this law is not violated, and in any case doubt as to the age of any child may require the oath of the child, his parents, or other persons. This is not, however, any legal form of proof of age. Neither is any provision made for keeping a record of children employed in mines with the bureau of labor or elsewhere.

The law regulating the employment of children other than in mines is as follows:

1. No child under 12 years of age may be employed in any factory or manufacturing establishment. No child between the ages of 12 and 13 years may be employed in such places or establishements except in an apprenticeship capacity—and this only after having attended school four months during the year previous.

2. No child under 16 years of age may be employed in any factory or manufacturing establishment after 9 p. m. or before 6 a. m.

3. Sixty hours constitutes a legal week's work in factories. No minor or women may be employed for a longer time. Adult males may be employed for longer hours by written contract providing for increased compensation for overtime.

4. Parents, or persons standing in the relation of parents, placing their children for employment with any factory or manufacturing establishment, are required to furnish a statement of age with certificate of school attendance. It is unlawful for any parent,

or person standing in relation of parent to any child, to misstate the age of a child or the facts as to school attendance.

Any knowing or wilful violation of the labor law regulating the employment of children is made a misdemeanor. In case of a second conviction for such violation within 12 months, the fine may not be less than $500.

It is the duty of the county superintendents of public instruction to investigate any violations of the child labor law and to report the fact of violations to the solicitor of the judicial district in which the violation occurs.

From the above it becomes apparent to anyone at all familiar with the subject that North Carolina is below the standard recognized by the greater majority of the people of the country and fixed by the laws of a majority, in fact by almost all the states of the Union:

1. In that the law undertakes to regulate the employment of children in mills, factories and manufacturing establishments only. This is only a very small part of the field usually covered by laws regulating the employment of children.

2. In that there is not sufficient, in fact hardly any, formal requirements for establishing the age of the child. Work permits are not required at all. No record of children at work is required to be kept by the employer or by any state or county official.

3. In that there is no provision whatever for a physical examination of the children to determine whether or not they are physically fit for the work at which they are to be employed. It follows from this, of course, that there is no provision for following up working children for the purpose of seeing that they keep physically fit.

4. In that there is no provision made for adequate enforcement of the law by the bureau of labor or any other agency. The county superintendent has never treated the enforcement of the child labor law as a part of his duties. In fact one may in all truth say that the law has never been enforced.

This lack of power on the part of the bureau of labor to enforce the law means of course that it has no supervision of working children, and that there is no such thing as registration of them in this or any other state or county bureau. The law was written, but there is a complete failure of machinery for enforcement.

This report would not be complete without at least a brief pres-

entation of the interpretations of the law. The General Assembly of North Carolina has been slow to enact laws regulating the employment of children and has up to this time consistently refused to incorporate into its child labor law many, in fact most of the standards generally recognized.

On the other hand, the Supreme Court of the state, the court of last resort and the final interpreter of the law, has consistently moved forward with the times and has uniformly so interpreted the law as it was at the time that the legal protection for children has been strengthened. The Supreme Court has been far more progressive than the legislature. It is true that the decisions have been on the civil side, but the effect is the same.

In the case of Rolin vs. Tobacco Company (141 N. C. 300) the question of the employment of children was brought squarely before the court for the first time. The court in that case held:

1. That the employment in a factory of a child under 12 years of age, or the failure to get a certificate showing the age of the child, is very strong, if not conclusive evidence, of negligence on the part of the employer.
2. That a child under 12 years of age is presumed to be incapable of understanding or appreciating the danger of a negligent act.
3. That contributory negligence must be measured by the age and ability of the child.

The second case centering directly upon the employment of a child under the legal age (12) was the case of Leathers vs. Tobacco Company (reported in 144 N. C. 330.) It goes one step forward and holds:

1. That the employment of a child under 12 years of age in a factory is negligence *per se.*
2. That a child under 12 years of age is presumed to be incapable of negligence. The court said, however, that this presumption is subject to being overcome. This is an apparent rather than a real step backward.

The case of Starnes vs. Albion Manufacturing Company (144, N. C. 556) states the law as being:

1. That the act making it a misdemeanor to employ children under 12 years of age in factories and manufacturing establishments is constitutional and valid, it being for the promotion of the general welfare.

2. That it is negligence *per se* to employ a child under 12 years of age in violation of the law.
3. That there was a direct causal connection between the unlawful employment of the child and the injury received by him. The unlawful employment of the child was the cause, the injury received by the child was the effect.

The case of McGowan vs. Ivanhoe Manufacturing Company (reported in 162 N. C. 667) states the law more thoroughly in that it upholds and reaffirms the former decisions and that a child's name need not be on the pay-roll in order that damages may be recovered for his injury.

It thus appears that the decisions of the Supreme Court have uniformly been such as to discourage the employment of children in violation of law and have tended to lift the standards in the state.

Discussion.

1. North Carolina is in need of a fully equipped department of labor. By reason of the failure of the law to give proper power the Commissioner of Labor is absolutely unable to function as he should. The fault is not in him but in the absence of proper laws. He should be empowered to inspect all industrial plants and have authority to enforce proper working conditions and safety appliances. A report of every industrial accident, whether resulting in death or not, should be made to him. He should have the oversight of all labor laws. The civilized world now recognizes that workers must have some state officer charged with the duty of seeing that their interests and the interests of the state in them is properly safeguarded.

2. A new child labor law should be enacted with the following features:

a. Forbidding the employment of any child under 14 years of age in any factory, mill, workshop, cannery, laundry, bakery, mercantile establishment, office, hotel, restaurant, barber shop, bootblack stand, public stable, garage, place of amusement, brick yard, lumber yard or in messenger or delivery service.

b. Forbidding the employment of a child under 14 at any occupation or business during the hours when the public school of the district in which the child resides is in session, except that if he has completed the public school course of his district, he may be employed at occupations open to children under 14.

c. Forbidding the employment of any child under 16 and any female in any mine, quarry, tunnel, or excavation, and the employment of any child under 16 on any railroad or in navigation or commerce or at any dangerous occupation or in any bowling alley, pool or billiard room or at any work in any public place or on the streets of any city of 5,000 inhabitants after 8 p. m. or before 6 a. m., or in any other occupation dangerous to life or limb or injurious to health or morals. The State Board of Health should be given authority to declare any occupation, trade, or business, dangerous or injurious to health or morals and thereby to make it unlawful to employ any child under 16 years of age therein.

d. Forbidding the hours of labor for children under 16 to exceed 8 in 24 or 48 in any 7 days. Forbidding also the employment of any child under 16 years of age before 7 a. m. or after 6 p. m.

e. Boys under 12 years of age and girls under 18 should be forbidden to sell papers or any other article or work at any occupation on the streets of any city of 5,000 inhabitants.

f. Requiring work permits for all children between the ages of 14 and 16, work permits to be issued by the County Superintendent of Public Instruction or someone authorized by him in writing for which proofs of age should be required in the following order:

1. A birth certificate or lawful transcript thereof.
2. A record of baptisms or transcript thereof.
3. A record of the childbirth kept in the family records, or other documentary evidence approved by the Commissioner of of Labor.
4. A statement by a public health or public school physician or physician designated by the Commissioner of Labor that he has examined the child and that in his opinion it is 14 years of age.

   In addition there should be required a statement by the county health officer or medical school inspector or physician designated by the Commissioner of Labor that he has examined the child and found him to be physically sound, of normal development and able to perform the work at which he is to be employed, and a statement from the employer that he is about to employ the child. Children under 16 years of age at work should be examined at least every six months to insure that they keep in good health.

There should also be a requirement that the child has completed the fourth grade.

A copy of every work permit should be filed in the office of the County Superintendent of Public Instruction and a copy should be filed with the State Commissioner of Labor. Provision should also be made for making proof of age of any child more than 16 if his employer should request it. The Commissioner of Labor should have authority to revoke any work permit improperly granted.

g. The enforcement of the child labor law should be placed under the Commissioner of Labor. School attendance and truancy officers should be required to aid in its enforcement in their respective jurisdictions. Sufficient inspectors should be provided for the State Department of Labor.

IV. Department of Charities and Public Welfare.

In North Carolina the Department of Charities and Public Welfare is charged with the duties usually performed by a state department of charities. Prior to 1917 a State Board of Charities as the state agency supervised all the state charitable and penal institutions as provided for by the constitution of the state. The General Assembly of 1917 at the request of the members of the old Board of Charities and of a Committee from the North Carolina Conference for Social Service enlarged the powers and duties of the old State Board of Charities and recreated it into "The State Board of Charities and Public Welfare."

Seven members, one of whom must be a woman, constitute the State Board of Charities and Public Welfare. All are elected by the General Assembly upon the recommendation of the Governor. After the plan is in full operation, the terms of each member will be for six years and the board will be a continuing body. Members serve without compensation; but the state pays the necessary expense of members. The law requires quarterly meetings to be held. Other meetings may be held at the call of the chairman of the board.

The powers and duties of the State Board of Charities and Public Welfare as set out in the Act of 1917 are:

(a) To investigate and supervise through and by its own members or its agents or employes the whole system of the charitable and penal institu-

tions of the state and to recommend such changes and additional provisions as it may deem needful for their economical and efficient administration.

(b) To study the subjects of nonemployment, poverty, vagrancy, housing conditions, crime, public amusement, care and treatment of prisoners, divorce and wife desertion, the social evil and kindred subjects and their causes, treatment and prevention, and the prevention of any hurtful social condition.

(c) To study and promote the welfare of the dependent and delinquent child and to provide either directly or through a bureau of the board for the placing and supervision of dependent, delinquent, and defective children.

(d) To inspect and make report on private orphanages, institutions, and persons receiving or placing children, and all such persons, institutions, and orphanages shall, before soliciting funds from the public, submit to the State Board of Charities and Public Welfare an itemized statement of the moneys received and expended and of the work done during the preceding year, and shall not solicit other funds until licensed by the state board, said statement of moneys received and expended and work done to be made each year as ordered by the state board, and said board shall have the right to make all such information public.

(e) To issue bulletins and in other ways to inform the public as to social conditions and the proper treatment and remedies for social evils.

(f) To issue subpoenas and compel attendance of witnesses, administer oaths, and to send for persons and papers whenever it deems it necessary in making the investigations provided for herein or in the other discharge of its duties, and to give such publicity to its investigations and findings as it may deem best for public welfare.

(g) To employ a trained investigator of social service problems who shall be known as the Commissioner of Public Welfare, and to employ such other inspectors, officers and agents as it may deem needful in the discharge of its duties.

(h) To recommed to the legislature social legislation and the creation of necessary institutions.

(i) To encourage employment by counties of a county superintendent of public welfare and to co-operate with the county superintendent of public welfare in every way possible.

(j) To attend, either through its members or agents, social service conventions and similar conventions and to assist in promoting all helpful publicity tending to improve social conditions of the state, and to pay out of the funds appropriated to the state board, office expenses, salaries of employees, and all other expense incurred in carrying out the duties and powers hereinbefore set out.

County Boards of Public Welfare

The Act of the General Assembly of 1917 which created the State Board of Charities and Public Welfare provides that the board

of county commissioners of any county may create a county board of charities and public welfare and employ a county superintendent of public welfare. This county board consists of three persons appointed by the board of county commissioners by and with the advice and consent of the State Board of Charities and Public Welfare. No one may be employed as county superintendent of public welfare unless he has the certificate of the state board showing that he is qualified for the position. The county board of public welfare, wherever created, has assigned to it by law only the duties of meeting once a month and advising with the county superintendent, At such meeting the county superintendent acts as the secretary of the board. The county superintendent is not employed by this board but by the board of county commissioners. His compensation is fixed by the county commissioners, and they may discharge him at any time. The State Board of Charities and Public Welfare has the power to discharge a member of a county board but strange to say it may not discharge the county superintendent.

The act of 1917 enumerates the duties of a county superintendent of charities and public welfare as follows:

(a) To have, under control of the county commissioners, the care and supervision of the poor and to administer the poor funds.
(b) To act as agent of the state board in relation to any work to be done by the state board within the county.
(c) Under the direction of the state board to look after and keep up with the condition of persons discharged from hospitals for the insane and from other state institutions.
(d) To have oversight of prisoners in the county on parole from penitentiaries, reformatories, and all parole prisoners in the county.
(e) To have oversight of dependent and delinquent children, and especially those on parole or probation.
(f) To have oversight of all prisoners in the county on probation.
(g) To promote wholesome recreation in the county and to enforce such laws and regulate commercial amusement.
(h) Under the direction of the state board to have oversight of dependent children placed in said county by the state board.
(i) To assist the state board in finding employment for the unemployed.
(j) To investigate into the cause of distress, under the direction of the state board, and to make such other investigations in the interest of social welfare as the state board may direct.

The act provides that in counties of not more than 25,000 inhabitants the county superintendent of public instruction may act

as county superintendent of charities and public welfare; provided that he has a certificate of qualification from the State Board of Charities and Public Welfare. He may also act at the same time as truant officer for the county.

Sections 3917, 3919 and 3920 show somewhat more clearly than the former statement just what are the functions of the State Board of Charities and Public Welfare:

> "The State board shall have power to inspect county jails, county homes, and all prisons and prison camps and other institutions of a penal or charitable nature, and to require reports from sheriffs of counties and superintendents of public welfare and other county officers in regard to the conditions of jails and almshouses, or in regard to the number, sex, age, physical and mental condition, criminal record, occupation, nationality and race of inmates, or such other information as may be required by said State board. The plans and specifications of all new jails and almshouses shall, before the beginning of the construction thereof, be submitted for approval to the State board."
>
> "Whenever the board shall have reason to believe that any insane person, not incurable, is deprived of proper remedial treatment and is confined in any almshouse or other place, whether such insane person is a public charge or otherwise, it shall be the duty of the said board to cause such insane person to be conveyed to the proper State hospital for the insane, there to receive the best medical attention. So also it shall be their care that all the unfortunate shall receive benefit from the charities of the State."
>
> "The board may require the superintendents or other officers of the several charitable and penal institutions of the State to report to them of any matter relating to the inmates of such institutions, their manner of instruction and treatment, with structure of their buildings, and to furnish them any desired statistics upon demand. No person shall be appointed to any place or position in any of the State institutions under the supervision of the State board who is related by blood or marriage to any member of the State board or to any of the principal officers, superintendents, or wardens of State institutions."

From what has been stated above it follows that the duty and function of the State Board of Charities and Public Welfare is:

A. To supervise the entire state and county system of charitable institutions. In addition to county houses and persons as well as state penal institutions, this includes:

(1.) Two orphanages to which the state contributes funds—the Masonic Orphanage and the Colored Orphanage, both located at Oxford. The General Assembly names some of the members of the boards of trustees of these two institutions.

(2.) Three schools for the blind or deaf—the School for the White Blind located at Raleigh, the School for the White Deaf located at Morganton and the School for the Colored Blind and Deaf located at Raleigh.

(3.) The Caswell Training School—a school for feeble-minded and idiotic children between the ages of 6 and 21 and feeble-minded women between the ages of 21 and 31. This institution is located at Kinston.

(4.) The Stonewall Jackson Manual Training and Industrial School which is for delinquent boys under 16 years of age.

B. To promote the welfare of dependent and delinquent children and to provide for the proper placing and supervising of the same. This places or should place every child declared to be delinquent or dependent under the care of the State Board of Charities and Public Welfare.

C. To inspect, report upon and license every private orphanage, institution or person caring for or placing children. An itemized report must be made yearly by every such orphanage, institution or person. No funds may be solicited without the license of the state board.

All the above will be performed or carried out by or under the Commissioner of Public Welfare, who is employed by the Board of Charities and Public Welfare and who is required by law to be a trained investigator of social problems. Power is given by law for the employment of such other inspectors, officers and agents as may be needed.

Since the State Board of Charities and Public Welfare and under it every county superintendent of public welfare is charged with the care and supervision of every delinquent and dependent child, it will be well to determine just here what is a delinquent or dependent child.

The act establishing so-called probation courts was enacted by the General Assembly of 1915. It covers all children under 18 years of age except in extreme and criminal cases—that is, except when the child is charged with a felony, is incorrigible, or is an habitual offender. In such extreme and criminal cases, or where the child is a menace to society, even though he is under 18 years of age, the judge having the case in charge may dispose of the case according to his discretion. I understand this to mean that the child is to

be dealt with as an ordinary criminal and not as a juvenile delinquent.

The act of 1915 defines both the word delinquent and the word dependent when applied to children.

(a) A child shall be known as a juvenile delinquent when he violates any municipal or state law, or when, not being a law violator, he is wayward, unruly and misdirected, or when he is disobedient to parents and beyond their control, or whose conduct and environment seem to point to a criminal career.

(b) A child shall be known as a dependent child when, for any reason, he is destitute or homeless or abandoned, and in such an evil environment that he is likely to develop into criminal practices unless he be removed therefrom and properly directed and trained.

Jurisdiction over children under 18 years is given to recorders' courts of cities and like courts in cities where recorders' courts have not been established (this must refer to the ordinary mayors' courts) and to superior courts. From this we must conclude justices of the peace no longer have any jurisdiction over children under 18 years of age.

Any child under 18 years of age may be arrested and brought before any one of the above named courts for a hearing, but he may not be imprisoned with hardened criminals. No child under 14 years of age may be committed to any prison or prison enclosure where he will be thrown with older or more hardened criminals except when such child is charged with a felony or is known to be incorrigible or an habitual offender.

It is the duty of courts having jurisdiction of juvenile cases to appoint volunteer or paid probation officers to take charge of delinquent or dependent children brought into court. The act requires that the probation officer be the best obtainable in the community. The court may suggest to the board of county commissioners that they appropriate money to pay a probation officer. The board of county commissioners is given the authority thus to appropriate money but it is left entirely in the discretion of the board. In other words the court may find an urgent need for a paid probation officer and may so state the facts to the board of county commissioners, but that board is at liberty to do just as it pleases in the matter of employing or paying a probation officer.

When a child under 18 years of age is arrested he would of course be turned over to the proper court having jurisdiction of juvenile care. But there need be no violation of law for arrest. Any court having jurisdiction may be moved to declare a child delinquent or dependent on the affidavit or oral statement of the child's parent, guardian or any other person knowing such child's condition.

When the child is found by the court to be guilty (this means when he is found to be delinquent or dependent) he may be placed on probation under a probation officer for a specified period; three, six, or twelve months or longer—a specified term, and required to appear before the court from time to time with the probation officer and report. The court has the power to discharge the child at the end of the term of probation fixed or at any other time, or place him again on probation or commit him to some suitable county or state training school or proper private home. The clause "When the probation officer appointed by the court has failed to reclaim such child" seems to mean that a child must be placed on probation before he can be committed to a training school or private home. The court has the power to recall any child wherever he may be placed and to modify or reverse any order. All this lies in the discretion of the court.

Of course, if upon hearing the child is found not to be delinquent or dependent, the matter is simply dismissed.

Courts which have jurisidction of juvenile cases are required to hold separate hearings for children in a private place removed from criminal surroundings and to keep a "Juvenile Record" docket containing all the facts necessary for a full knowledge authority of the case.

The final section (6) of the act declares it to be a misdemeanor for any parent, guardian, or person employing or controlling a child knowingly to cause or permit a child under his care to become a delinquent.

The act was construed by the Supreme Court (in the case of State vs. Newell, 172 N. C. 933.) A boy under 18 years of age was convicted of a felony—larceny, in a municipal court and paroled. The superior court assumed jurisdiction in the case and the boy was sentenced to twelve months' work on the county roads.

On appeal to the Supreme Court the court held that the municipal court had no jurisdiction, the crime charged being a felony. It

would follow from this that a court which has no jurisdiction of a particular offense is not given jurisdiction of the child charged with the offense because of the fact that he is under 18 years of age.

State Institutions.

There are at present no state institutions to which a dependent but otherwise normal child may be committed. The state, however, contributes some funds to the Masonic orphanage and the Colored Orphanage, both located at Oxford, and exercises a limited control over each. Private agencies—orphanages, charitable institutions and child-caring societies, must be depended upon to care for dependent children.

There is an institution to which delinquent boys may be committed—the Stonewall Jackson Manual Training and Industrial School at Concord. This school was established largely through the influence of the King's Daughters and they contribute to its support. It is for delinquent white boys under 16 years of age. There is no corresponding school for white girls, but a State School and Industrial Home for girls and women is now being established. (This school is now in operation.) Girls and women more than 16 years of age as well as younger girls will be admitted. Neither is there any corresponding school for negro boys or for negro girls.

The Stonewall Jackson Training and Industrial School is declared, in the act creating and establishing the school, to be for the training and moral and industrial development of criminally delinquent children under 16 years of age. Only boys are admitted—this being in the lawful discretion of the control. It is controlled by a board of trustees, fifteen in number, part appointed by the governor and part elected by the board. This board selects a superintendent for the school.

It is the duty of the courts to commit to this school all persons (boys) under 16 years of age who have been convicted of violating the criminal law when the court deems it to be best. This would seem to exclude the delinquent boy not convicted of violating the criminal law. Modern procedure is that the child be declared to be a delinquent in proper cases and never convicted of a crime. The governor is empowered to transfer any convict under 16 years of age to this school. He also has the right to transfer any inmate of the school to the state's prison or jail or chain gang of his own county,

any inmate certified by the board of trustees of this school to be ungovernable or as exerting an unwholesome influence. Boys committed to the school may be retained until 21 years of age unless they are declared proper for discharge before they attain their majority and are discharged.

This act was held to be constitutional (*ex parte* Watson 157, N. C. 340). In the opinion the Supreme Court says:

1. The power of the state to detain minor children is not unlimited and is justified only by the fact that the child is without proper parental care and in an improper environment.
2. That when there is an investigation as to the status and needs of the child, and the institution to which the child has been committed is not penal there is no right of trial by jury; that commitment to the Training School is not as punishment for crime, and there is therefore no deprivation of liberty within the meaning of the Bill of Rights.
3. That the words "sentence" and "convicted" in the act mean merely the finding by the court that the child needs the care of the state and order of detention. It is not a conviction and sentence for punishment for crime

Under this construction boys declared to be delinquent by recorders' courts and like courts of cities and superior courts may be sent to the Training School without having been convicted of a crime.

School for Feeble-Minded.

The state maintains a school for the feeble-minded—the Caswell Training School located at Kinston. The institution is controlled by a board of trustees, twelve in number, each appointed by the Governor with the advice of the Senate for a term of six years. The parents, kinsmen or guardians of feeble-minded children are required to pay for their care at the school when they are able to do so. Where they are shown to be unable, feeble-minded children will be cared for by the school at the expense of the state, except that the county commissions pay for the clothing and transportation of indigents.

Feeble-minded and idiotic children between the ages of 6 and 21, and feeble-minded women between the ages of 21 and 31, who are not pregnant, helpless, or afflicted with a contagious or communicable disease are admitted to the school by the approval of the board

of county commissioners as the superintendent shall give notice that there is room. Application for the admission of a child must be made by the father, if the parents are living together; by the parent having the custody of the child, if the parents do not live together; by the legal guardian; or by the person having charge of any institution caring for children.

Institution for the Blind and Deaf.

There is in fact one state school for the blind and one for the deaf. The School for the blind is located at Raleigh and the School for the deaf at Morganton. The school for the colored blind and deaf is really simply a department of the School for the blind.

Every taker of the public school census is required to list the name of every blind or deaf child in his district between the ages of 6 and 21, and to make a report of all such to the county superintendent of public instruction. The race, age, sex, address with name of parent or guardian is shown. Special blanks are provided for this. County superintendents of public instruction are required to transmit a list of the blind to the principal of the School for the Blind and of the deaf to the principal of the School for the Deaf.

It is a misdemeanor for any parent or guardian to fail to send a blind or deaf child to school as required by law.

Every blind child sound in mind and body and between the ages of 7 and 17 is required to attend some school for the blind nine months a year for at least eight years of the time between 7 and 17 years of age. Sheriffs of the different counties are required to enforce this act.

The State School for the Blind located at Raleigh is controlled by a board of 11 trustees, appointed by the General Assembly each for a term of six years. This in turn elects a president and an executive committee of three from their number. Blind children, white or colored, who are not of confirmed immoral character, and are sound in mind and physically fit for useful instruction, are received. Colored deaf children are received into the colored blind and deaf department under the same requirements. Parents and guardians who are able to do so must pay for the transportation of the child to and from the school. If they are unable, or if the child has no living parents or estate, the governor will order the state auditor to pay and charge the amount against the county from which the child

comes. The amount which the institution may expend for clothing any child is not to exceed $20 a year.

This institution is not declared by law to be educational.

The North Carolina School for the Deaf located at Morganton is declared by law to be an educational institution but is visited and inspected by the State Board of Charities and Public Welfare. It is controlled by a board of trustees appointed by the governor, each for a term of six years.

Every deaf child between the ages of 8 and 15 is required to attend some school for the deaf for 5 years of 9 months each in this time. The instruction and maintenance at the School for the Deaf is free to every child of two years' residence in the state. For a child to be admitted, however, he must not be of confirmed immoral character and not so unsound in mind or body as to be incapacitated for useful instruction. Children admitted to the School for the Deaf must be instructed in the branches prescribed by law for the public schools. The boys are to be taught mechanical pursuits and agriculture; the girls, sewing, housekeeping and such arts as will make them self-supporting.

As heretofore stated, colored deaf children are received and taught in the department for colored blind and deaf children in the State School for the Blind.

Discussion:

1. By an overisght, financial support for the State Board of Charities and Public Welfare was not provided by the General Assembly of 1917. This should receive attention. With his present office force the secretary cannot possibly do the work assigned to him by law. Additional help should be provided for him.

2. County Boards of Public Welfare are needed in every county and the law should require the election of the members of these boards by the board of county commissioners and upon failure the State Board of Charities and Public Welfare should be empowered to appoint the county board. County Boards of Public Welfare should be charged with the oversight of all those duties and matters assigned by law to the County Superintendent of Public Welfare.

3. County Superintendents of Public Welfare should be appointed by the County Board of Public Welfare. His compensation should be fixed jointly by the two county boards. He should be

required to be approved by the state board. The law now permits a properly approved County Superintendent of Public Instruction to act as a County Superintendent of Public Welfare. In the smaller counties this ought to work well. The same officer should have charge of the enforcement of the school attendance law. In the larger counties the County Superintendent of Public Welfare might well be the county school attendance and probation officer. Where the population is large enough to warrant it, help should be provided for him. This would bring all probation and truancy problems under the same officer. There is no reason why it would not work.

4. The Probation Court law is not fitted to the needs of the state. It should be repealed and a juvenile court law incorporating the good features of the present law, empowering the clerk of the court to care for and place neglected and dependent children, should be enacted. The clerk of the court in every county should be made judge of the juvenile court.

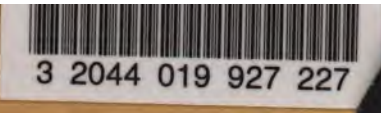
5. The State School and Industrial Home for Girls and Women will probably soon learn that girls should not be placed in the same institution with older women of immoral character. What is needed most is an institution for delinquent white girls.

The same need exists, of course, in the case of delinquent negro boys and girls.

6. It is quite evident to anyone who studies the matter that the state has not made sufficient provision for the care of the feeble-minded child. The Caswell Training School should be enlarged so as to care for all feeble-minded white children, and every one in the state should be placed there unless cared for in some other approved institution. An institution for feeble-minded negro children should be provided at once. This is by far the most economical and the only safe way to deal with feeble minds. It should be made the duty of the County Superintendent of Public Welfare to see that every feeble-minded child in his county is placed in a proper institution.

7. A mothers' pension law should be enacted. Its administration in the county should be under the County Board of Public Welfare. All administration of mothers' pensions should be supervised by the State Board of Public Welfare.

8. All maternity and rescue homes should be supervised, investigated and licensed by the State Board of Charities and Public Welfare.



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